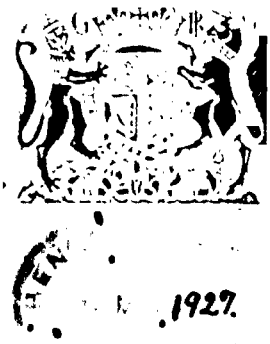
Vol. XXIII



Council Proceedings

Official Report

Bengal Legislative Council

Twenty-third Session, 1926

16th to 20th August, 1926

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GOVERNMENT OF BENGAL.

GOVERNOR OF BENGAL.

His Excellency the Right Hon'ble VICTOR ALEXANDER GEORGE ROBERT BULWAR-LYTTON, Earl of Lytton, P.C., G.C.S.I., G.C.I.E. (*on leave*).

His Excellency Sir HUGH LANSDOWN STEPHENSON, K.C.I.E., C.S.I. (*Acting*).

MEMBERS OF THE EXECUTIVE COUNCIL.

The Hon'ble Mr. J. DONALD, C.S.I., C.I.E., I.C.S., in charge of the following portfolios:—

1. Finance.
2. Separate Revenue.
3. Commerce and Industrial subjects.
4. Marine.
5. Education.
6. Public Works.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia, in charge of the following portfolios:—

1. Land Revenue.
2. Land Acquisition.
3. Excluded Areas.
4. Irrigation.
5. Medical administration, including hospitals, dispensaries and asylums and provision for medical education.
6. Local Self-Government.

GOVERNMENT OF BENGAL.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, C.I.E., in charge of the following portfolios:—

1. Emigration.
2. Immigration.
3. Jurisdiction.
4. Haj Pilgrimage.
5. Forests.
6. Agriculture and Industries.
7. Excise.
8. Registration.

The Hon'ble Mr. L. BIRLEY, C.S.I., C.I.E., I.C.S., in charge of the following portfolios:—

1. Appointment.
2. Political, excluding Haj Pilgrimage.
3. Police.
4. Ecclesiastical.
5. Regulation of medical and other professional qualifications and standards, subject to legislation by the Indian Legislature.
6. Jails.
7. Judicial.
8. Legislative, including the Executive Administration of the Legislative Department and elections for Indian and Provincial Legislatures, subject to rules framed under sections 64 (*1*) and 72 (*a*) of the Government of India Act.

GOVERNMENT OF BENGAL.

PRINCIPAL OFFICERS OF THE BENGAL LEGISLATIVE COUNCIL.

PRESIDENT.

The Hon'ble Kumar SHIB SHEKHARESWAR RAY.

DEPUTY PRESIDENT.

DR. ABDULLAH AL-MAMUN SUHRAWARDY.

Panel of Chairmen for the Twenty-third Session.

Babu JATINDRA NATH BASU.

MR. W. L. TRAVERS, C.I.E., O.B.E.

Maulvi EKRAMUL HUQ.

Raja MANMATHA NATH RAY CHAUDHURI of Santosh.

Secretary to the Council—J. BARTLEY, I.C.S. (*on leave*) A. DE C. WILLIAMS, I.C.S. (*Offg.*).

Assistant Secretaries to the Council—A. M. HUTCHISON (*on leave*) K. N. MAJUMDAR, and J. W. McKAY (*Offg.*).

Registrar to the Council—M. MUKHERJI (*Offg.*).

BENGAL LEGISLATIVE COUNCIL.

ALPHABETICAL LIST OF MEMBERS.

A

Addy, Babu Amulya Dhone. (Bengal National Chamber of Commerce.)
Ahamad, Maulvi Asimuddin. [Tippera (Muhammadan).]
Ahmed, Maulvi Tayebuddin. [Mymensingh East (Muhammadan).]
Ahmed, Maulvi Zannoor. [Burdwan Division South (Muhammadan).]
Ahmed, Sardar Mahafezuddin. [Bakarganj West (Muhammadan).]
Ahsanullah, Mollah. [Rajshahi North (Muhammadan).]
Aley, Khan Bahadur S. Mahboob. [Calcutta North (Muhammadan).]
Ali, Maulvi Sayyed Sultan. [Khulna (Muhammadan).]
Ali, Mr. Altaf. [Mymensingh East (Muhammadan).]

B

Bagchi, Babu Romes Chandra. [Malda (Non-Muhammadan).]
Baksh, Maulvi Kader. [Dinajpur (Muhammadan).]
Banerjea, Dr. Pramathanath. [Calcutta East (Non-Muhammadan).]
Banerjee, Babu Satya Kishore. (Burdwan Landholders.)
Banerjee, Mr. A. C. [Calcutta South Central (Non-Muhammadan).]
Banerjee, Rai Bahadur Abinash Chandra. (Nominated Non-official.)
Barma, Rai Sahib Panchanan, M.B.E. [Rangpur (Non-Muhammadan).]
Barton, Mr. H. (Anglo-Indian.)
Basu, Babu Jatindra Nath. [Calcutta North (Non-Muhammadan).]
Basu, Babu Sarat Chandra. [Burdwan (Non-Muhammadan).]
Birley, the Hon'ble Mr. L., C.S.I., C.I.E. (Member, Executive Council.)
Biswas, Mr. Abdul Latif, B.L. [Dacca West (Rural) Muhammadan.]
Bose, Babu Bejoy Krishna. (Calcutta University.)

C

Chakravarti, Mr. Byomkes. [24-Parganas Rural South (Non-Muhammadan).]
Chakravarti, Babu Jogindra Chandra. [Dinajpur (Non-Muhammadan).]
Chakravorty, Babu Sudarsan. [Rajshahi (Non-Muhammadan).]
Chatterjee, Babu Umes Chandra. [Bankura East (Non-Muhammadan).]

Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, C.I.E. (Member, Executive Council.)
Chaudhuri, Rai Harendranath. [24-Parganas Rural North (Non-Muhammadan).]
Chaudhury, Maulvi Md. Nurul Huq. [Chittagong (Muhammadan).]
Chaudhury, Maulvi Saiyed Abdur Rob. [Faridpur South (Muhammadan).]
Child, Mr. R. H. (Bengal Chamber of Commerce.)
Chowdhury, Maulvi Fazlal Karim. [Bakarganj North (Muhammadan).]
Chunder, Mr. Nirmal Chandra. [Calcutta North Central (Non-Muhammadan).]
Cohen, Mr. D. J. (Nominated Non-official.)
Cooper, Mr. C. G. (Indian Jute Mills Association.)
Corcoran, Mr. B. J. [Dacca and Chittagong (European).]
Crawford, Mr. T. C. (Indian Tea Association.)

D

Das, Babu Charu Chandra. (Nominated Non-official.)
Das, Dr. Mohini Mohan. [Faridpur South (Non-Muhammadan).]
Das, Rai Bahadur Amar Nath. (Nominated Official.)
Das Gupta, Dr. J. M. [Bogra *cum* Pabna (Non-Muhammadan).]
Datta, Babu Akhil Chandra. [Tippera (Non-Muhammadan).]
Daud, Mr. M. (Nominated Non-official.)
Davie, Mr. J. Couper. (Calcutta Trades Association.)
De, Mr. K. C., C.I.E. (Nominated Official.)
Dey, Babu Boroda Prosad. [Hooghly Municipal (Non-Muhammadan).]
Donald, the Hon'ble Mr. J., C.S.I., C.I.E. (Member, Executive Council.)
Doss, Rai Bahadur Pyari Lal, M.B.E. [Dacca City (Non-Muhammadan).]
Drummond, Mr. J. G. (Nominated Official.)
Dutt, Mr. G. S. (Nominated Official.)

F

Faroqui, Khan Bahadur K. G. M. (Nominated Non-official.)
Forrester, Mr. J. Campbell. [Presidency and Burdwan (European).]

G

Gafur, Maulvi Abdul. [Pabna (Muhammadan).]
Ganguly, Babu Khagendra Nath. [Howrah Municipal (Non-Muhammadan).]
Ghuznavi, Hadji Mr. A. K. Abu Ahmed Khan. [Mymensingh West (Muhammadan).]
Goenka, Rai Bahadur Badridas. (Bengal Marwari Association.)
Guha, Mr. P. N. (Nominated Non-official.)

H

Haldar, Mr. S. N. [Calcutta South (Non-Muhammadan).]
Haq, Khan Bahadur Kazi Zahirul. [Dacca East Rural (Muhammadan).]
Haq, Shah Syed Emdadul. [Tippera (Muhammadan).]
Heard, Major-General Richard, C.I.E., M.D., K.H.S., I.M.S. (Nominated Official.)
Hodgson, Mr. R. C. (Nominated Official.)
Hopkyns, Mr. W. S., O.B.E. (Nominated Official.)
Hoque, Maulvi Sayedul. [Noakhali (Muhammadan).]
Hossain, Maulvi Wahed. [Barrackpore Municipal (Muhammadan).]
Hossain, Nawab Musharruf, Khan Bahadur. [Malda *cum* Jalpaiguri (Muhammadan).]
Huq, Maulvi Ekramul. [Murshidabad (Muhammadan).]
Huq, Mr. Mahbubul. [24-Parganas Municipal (Muhammadan).]

James, Mr. F. E., O.B.E. [Presidency and Burdwan (European).]
Jennaway, Mr. J. H. (Indian Mining Association.)
Joardar, Maulvi Aftab Hossain. [Nadia (Muhammadan).]

K

Khaitan, Babu Debi Prosad. (Nominated Non-official.)
Khan, Babu Debendra Lal. [Midnapore North (Non-Muhammadan).]
Khan, Maulvi Abdur Rashid. [Noakhali (Muhammadan).]
Khan, Maulvi Amanat. [Chittagong (Muhammadan).]
Khan, Maulvi Mahi Uddin. [Rangpur East (Muhammadan).]

L

Lal Mahammad, Haji. [Rajshahi South (Muhammadan).]
Law, Raja Reshee Case, C.I.E. (Bengal National Chamber of Commerce.)
Lindsay, Mr. J. H., I.C.S. (Nominated Official.)

M

Muhammad, Maulvi Basar. [Rangpur West (Muhammadan).]
Maity, Babu Mahendra Nath. [Midnapore South (Non-Muhammadan).]
Masih, Mr. Syed M. [Faridpur North (Muhammadan).]
McAlpin, Mr. M. C., C.I.E. (Nominated Official.)
McKenzie, Mr. D. P. (Bengal Chamber of Commerce.)
Mitra, Babu Jogendra Nath. [Jessore South (Non-Muhammadan).]
Mitra, Babu Satyendra Chandra. [Noakhali (Non-Muhammadan).]

Mitter, Sir Provash Chunder, Kt., C.I.E., (Presidency Landholders.)
Moberly, Mr. A. N., C.I.E. (Nominated Official.)
Moreno, Dr. H. W. B. (Anglo-Indian.)
Morgan, Mr. G. (Bengal Chamber of Commerce.)
Mukerjea, Babu Taraknath. [Hooghly Rural (Non-Muhammadan).]
Mukerji, Mr. S. C. (Nominated Non-official.)

N

Nandy, Maharaj Kumar Sris Chandra. [Murshidabad (Non-Muhammadan).]
Nasker, Babu Hem Chandra. [24-Parganas Rural Central (Non-Muhammadan).]
Nazimuddin, Mr. Khwaja, C.I.E. [Bakarganj South (Muhammadan).]
Neogi, Babu Manmohon. [Mymensingh West (Non-Muhammadan).]

P

Pahlowan, Maulvi Md. Abdul Jubbar. [Mymensingh West (Muhammadan).]
Patterson, Mr. D. C. (Nominated Official.)
Philip, Mr. J. Y. (Bengal Chamber of Commerce.)

Q

Quader, Maulvi Abdul. [Jessore South (Muhammadan).]

R

Rahim, Sir Abd-ur, K.C.S.I. [Hooghly *cum* Howrah Municipal (Muhammadan).]
Rahman, Mr. A. F. (Dacca University.)
Raikat, Mr. Prasanna Deb. [Jalpaiguri (Non-Muhammadan).]
Ray, Babu Abanish Chandra. [Birbhum (Non-Muhammadan).]
Ray, Babu Anilbaran. [Bankura West (Non-Muhammadan).]
Ray, Babu Nagendra Narayan. [Rangpur (Non-Muhammadan).]
Ray, Babu Surendra Nath. [24-Parganas Municipal South (Non-Muhammadan).]
Ray, Dr. Prasad Sankar. [Faridpur North (Non-Muhammadan).]
*Ray, the Hon'ble Kumar Shib Shekhareswar. (Rajshahi Landholders.)
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra of Nadia. (Member, Executive Council.)
Ray Chaudhuri, Mr. K. C. (Nominated Non-official.)
Ray Chaudhuri, Raja Manmatha Nath, of Santosh. (Dacca Landholders.)

* President of the Bengal Legislative Council.

Roy, Babu Manmatha Nath. [Howrah Rural (Non-Muhammadan).]
Roy, Babu Satcowripati. [Calcutta North-West (Non-Muhammadan).]
Roy, Dr. Bidhan Chandra. [24-Parganas Municipal North (Non-Muhammadan).]
Roy, Mr. D. N. [Jessore North (Non-Muhammadan).]
Roy, Mr. Kiran Sankar. [Dacca Rural (Non-Muhammadan).]
Roy, Mr. S. N., I.C.S. (Nominated Official.)
Roy, Mr. Tarit Bhusan. (Bengal Mahajan Sabha.)
Roy, Raja Maniloll Singh, C.I.E., of Chakdighi. [Burdwan (Non-Muhammadan).]
Roy Chaudhuri, Babu Sailaja Nath. [Khulna (Non-Muhammadan).]
Roy Choudhuri, Rai Bahadur Satyendra Nath. [Bakarganj South (Non-Muhammadan).]

Salam, Khan Bahadur Maulvi Abdus. [Jessore North (Muhammadan).]
Sarkar, Babu Hemanta Kumar. [Nadia (Non-Muhammadan).]
Sarkar, Maulvi Allah Buksh. [Dacca City (Muhammadan).]
Sarker, Babu Naliniranjan. [Mymensingh East (Non-Muhammadan).]
Sasmal, Mr. B. N. [Midnapore South (Non-Muhammadan).]
Sen, Mr. N. C. [Bakarganj North (Non-Muhammadan).]
Sen Gupta, Mr. J. M. [Chittagong (Non-Muhammadan).]
Simpson, Mr. J. W. A. (Indian Jute Mills Association.)
Singha, Mr. Arun Chandra. (Chittagong Landholders.)
Skinner, Mr. S. A. (Bengal Chamber of Commerce.)
Stapleton, Mr. H. E. (Nominated Official.)
*Suhrawardy, Dr. A. [24-Parganas Rural (Muhammadan).]
Suhrawardy, Mr. Huseyn Shaheed. [Calcutta South (Muhammadan).]

T

Tarafdar, Maulvi Rajib Uddin. [Bogra Muhammadan).]
Travers, Mr. W. L., C.I.E., O.B.E. [Rajshahi (European).]

V

Villiers, Mr. Edward. [Presidency and Burdwan (European).]

W

Wilson, Mr. R. B., C.I.E. (Bengal Chamber of Commerce.)

Y

Yasin, Maulvi Muhammad. [Burdwan Division North (Muhammadan).]

* Deputy President of the Bengal Legislative Council.

THE BENGAL LEGISLATIVE COUNCIL PROCEEDINGS.

(Official Report of the Twenty-third Session.)

VOLUME XXIII.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Monday, the 16th August, 1926, at 3 P.M.

Present:

The Hon'ble the President (Kumar SHIB SHEKHARESWAR RAY) in the Chair, the four Hon'ble Members of the Executive Council and 105 nominated and elected members.

Oath or affirmation.

The following members made an oath or affirmation of their allegiance to the Crown:—

(1) Mr. G. S. DUTT, I.C.S.

(2) SARDAR MAHAFEZUDDIN AHMED.

Obituary Reference.

Mr. PRESIDENT: GENTLEMEN OF THE COUNCIL, I have to convey to you the sad news of the death of one of our old colleagues, the late Khan Bahadur Amin-ul-Islam. He sat in the old Bengal Legislative Council from March, 1919, to August, 1920, as an official member. He was also for some time a member of the Council of State.

In his death the Government have lost a loyal and faithful servant and the province a devoted son. The Khan Bahadur died in harness after many years of useful service rendered to Government and to his country. He was first appointed to Government service as a Deputy Magistrate and Deputy Collecter in 1894 and rose steadily to fill the responsible position of the Inspector-General of Registration which he was holding at the time of his death.

The Khan Bahadur was a man of great piety, who inspired the confidence and trust and, I may say, the affection of persons drawn from all classes of the community with whom he came in contact.

Gentlemen of the Council, with your permission I shall ask the Secretary to convey to the members of the family of the late Khan Bahadur the sympathy of the Council in their great bereavement. I would now ask you kindly to rise in your places as a mark of respect to the late Khan Bahadur Amin-ul-Islam.

(All the members then rose in their seats.)

Mr. PRESIDENT: Thank you, gentlemen. The Secretary will take the usual action.

Panel of Chairmen.

Mr. PRESIDENT: In accordance with the provisions of Rule 3 of the Bengal Legislative Council Rules, 1920, I nominate the following members of the Council to form a panel of four Chairmen for the ensuing session, viz.:—

Babu JATINDRA NATH BASU.

Mr. W. L. TRAVERS.

Maulvi EKRAMUL HUQ.

Raja MANMATHA NATH RAY CHAUDHURI, of Santosh.

Unless otherwise arranged, the senior member among them present in the above order named will preside over the deliberations of this Council in my absence and in the absence of the Deputy President.

Starred Questions

(to which oral answers were given).

Settlement operation on "char" lands of the Murshidabad District.

*1. **Maulvi EKRAMUL HUQ:** (*a*) Will the Hon'ble Member in charge of the Department of Revenue (Lands) be pleased to state in how many cases section 180 (*3*) of the Bengal Tenancy Act was applied in declaring *char* lands as non-*chars* in the various riparian districts in the province?

(*b*) Is it a fact that large areas of land exist in the district of Murshidabad which have long ceased to exist as *char* lands?

(*c*) Is it a fact that settlement operation is going on in the district of Murshidabad?

(*d*) Is it a fact that lands which have long ceased to be *char* lands are still being recorded as *char* lands in the settlement operation in the district of Murshidabad?

(*e*) Are the Government contemplating making the provision of the law really effective?

MEMBER in charge of DEPARTMENT of REVENUE [LANDS] (the Hon'ble Maharaja Kshaunish Chandra Ray Bahadur of Nadia): (*a*) to (*e*) The information is not available, but enquiries are being made.

Maulvi EKRAMUL HUQ: Is it not a fact that this matter was brought to the notice of Government by the Settlement Department some time ago?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia: Yes; very recently.

Maulvi EKRAMUL HUQ: Is it not a fact that if this matter is shelved for the present, nothing can be done by the Settlement Department?

Mr. PRESIDENT: That is a matter of opinion, I believe.

Suspension of court business for Juma prayers.

*2. **Maulvi AMANAT KHAN:** (*a*) Is the Hon'ble Member in charge of the Appointment Department aware that effect has not yet been given in the Judicial Department to the orders contained in Government letter No. 786-90 A.D., dated the 16th May, 1925, regarding suspension of all court business from 12-30 to 2 P.M. on Fridays?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state the reason for not giving effect to the orders?

(*c*) Has the Hon'ble Member taken any step to give effect to those orders?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Mr. L. Birley): (*a*) and (*c*) Effect has been given to the orders in criminal and revenue courts, but not in civil courts and sessions courts.

(*b*) The orders were directed only to criminal and revenue courts and not to civil courts and sessions courts.

Suspension of court business for Juma prayers.

***3. Maulvi AMANAT KHAN:** (*a*) Will the Hon'ble Member in charge of the Appointment Department be pleased to state whether the Government letter No. 786-90 A.D., dated the 16th June, 1925, is applicable to civil courts and to the court of sessions?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state the reasons why court business is not suspended in the said courts on Fridays as required under the said letter?

The Hon'ble Mr. L. BIRLEY: (*a*) The letter is not applicable to civil courts and sessions courts.

(*b*) Does not arise.

Unstarred Questions

(answers to which were laid on the table).

Deputy and Assistant Jailors.

1. Maulvi ZANNOOR AHMED: (*a*) Will the Hon'ble Member in charge of the Department of Revenue (Jails) be pleased to state the relative duties of Deputy Jailors and Assistant Jailors?

(*b*) Is it a fact that the Assistant Jailors even now have to perform the executive duties of the jail?

(*c*) Are the Assistant Jailors entitled to wear uniforms and to go on rounds?

(*d*) Is it a fact that the Superintendent of the Presidency Jail has asked for the appointment of more Deputy Jailors as it is not possible for one Deputy Jailor to do all the executive duties of the Central Jail?

(*e*) Is it a fact that prisoners are now left entirely in the hands of warders and head warders?

MEMBER in charge of DEPARTMENT of REVENUE [JAILS] (the Hon'ble Mr. L. Birley): (*a*) Deputy Jailors are part of the executive service; Assistant Jailors belong to the clerical service.

(*b*) Some Assistant Jailors still perform executive duties.

(*c*) Assistant Jailors have been allowed to retain their uniform. Some of them go on rounds.

(*d*) The Superintendent, Presidency Jail, asked for four Deputy Jailors—one for the release branch, one for the admission branch, one for the financial branch, and one for the warder establishment.

(*e*) No.

Unemployment in Calcutta.

2. Mr. H. BARTON: (*a*) Is the Hon'ble Member in charge of the Department of Agriculture and Industries aware of the acute condition of unemployment now prevailing in Calcutta as affecting all communities?

(*b*) What steps, if any, do the Government intend taking to ameliorate these conditions?

MEMBER in charge of DEPARTMENT of AGRICULTURE and INDUSTRIES (the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur): (*a*) Government are aware that there is a certain amount of unemployment among all classes.

(*b*) The member is referred to the reply given to question No. CXXXI on the 18th March, 1926. A statement showing further action taken since that date is placed on the Library table.

Proposal of Calcutta Corporation to tax educational institutions.

3. Mr. H. BARTON: (*a*) Will the Hon'ble Member in charge of the Department of Education be pleased to state whether he is aware—

(*i*) of a decision of the Calcutta Corporation to bring schools under taxation;

(*ii*) that Anglo-Indians and Indians hitherto were exempted from such taxation; and

(*iii*) of the distressful position which must result from such decision?

(*b*) If so, are the Government considering the desirability of making a provision for further grants to these institutions to the extent of the taxes they will be required to pay?

MEMBER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. J. Donald): (*a*) (*i*) to (*iii*) Government understands that the Corporation of Calcutta have not arrived at any such decision, but have under consideration the question of the policy to be followed in regard to grants to educational institutions.

(*b*) Does not arise.

Hon'ble the President's move to Darjeeling.

4. Mr. S. N. HALDAR: (*a*) Will the Hon'ble Member in charge of the Legislative Department be pleased to state whether the Hon'ble the President of the Bengal Legislative Council had been to Darjeeling after his appointment as such President?

(*b*) If so, did he draw any travelling allowance from Government?

(*c*) If the answer to (*b*) is in the affirmative, what was the amount of such travelling allowance?

(*d*) Under what rules was the travelling allowance, if any, drawn?

MEMBER in charge of LEGISLATIVE DEPARTMENT (the Hon'ble Mr. L. Birley): (*a*) Yes. At the request of His Excellency the Governor while Darjeeling was the headquarters of Government.

(*b*) No; the Hon'ble the President travelled on requisition, for which the charges were adjusted by Government with the railway authorities.

(*c*) and (*d*) Do not arise.

Plural-member constituencies of the Bengal Legislative Council.

5. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble Member in charge of the Appointment Department be pleased to state whether Government intend making a redistribution of the Legislative Council constituencies?

(*b*) Have the Government come to any final decision in the matter?

(*c*) What is that final decision, if any?

(*d*) If the answer to (*b*) is in the negative, will the Hon'ble Member be pleased to lay on the table the name of each constituency and all papers connected with its division, showing the proposal and views of the Government and the public and official opinions of the different constituencies and persons?

The Hon'ble Mr. L. BIRLEY: (*a*) to (*c*) Government have issued orders splitting up seven plural-member constituencies into fourteen single-member constituencies.

(*d*) Does not arise.

Excise shops in Tippera.

6. SHAH SYED EMDADUL HAQ: Will the Hon'ble Member in charge of the Department of Agriculture and Industries be pleased to lay on the table a statement showing—

(*i*) the number of excise shops where alcoholic liquor and intoxicating drugs are sold, in the district of Tippera, and the places where they are situated:

(*ii*) the quantity of alcoholic liquor and intoxicating drugs that have been sold at the various shops in the said district during the last five years ending on the 31st of December, 1923, and their value;

(*iii*) the amount that has been received as excise revenue from all sources in the said district in the year 1923; and

(*iv*) the amount that has been spent on the superintendence and maintenance of executive establishment for excise in the said district in the year 1923?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*i*) The number of excise shops in the district of Tippera is as follows:—

Country spirit	...	15
Ganja	...	43
Opium	...	17
Bhang	...	3
Foreign liquor	...	4

A statement showing the places where the shops are situated is laid on the Library table.

(*ii*) The labour involved in supplying the information will be hardly commensurate with the value of the answer.

(*iii*) Rupees 2,67,952 during the year 1923-24.

(*iv*) Rupees 22,309 on account of excise executive establishment in 1923-24.

Anti-malarial Co-operative Societies.

7. SHAH SYED EMDADUL HAQ: Will the Hon'ble Member in charge of the Department of Agriculture and Industries be pleased to lay on the table a statement showing, district by district, for the last financial year—

(*i*) the number of the existing anti-malarial co-operative societies;

(*ii*) the number of anti-malarial co-operative societies which have been registered;

(*iii*) the number of anti-malarial co-operative societies for the registration of which applications were submitted;

(*iv*) the number of anti-malarial co-operative societies, the applications of which are still pending; and

(*v*) the number of applications, if any, which have been rejected?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (i) to (v) A statement is laid on the table.

Statement referred to in answer to unstarred question No. 7.

	The number of existing anti-malarial co-operative societies.	The number of anti-malarial co-operative societies which have been registered.	The number of co-operative anti-malarial societies for the registration of which applications were submitted.	The number of anti-malarial co-operative societies the applications of which are still pending.	The number of applications, if any, which have been rejected.
Calcutta ..	1	1	1	..	..
24-Parganas ..	243	41	41	..	..
Jessore ..	25	10	10	..	..
Khulna ..	22	10	10	..	..
Murshidabad ..	4	..	..	..	..
Nadia ..	15	15	15	..	..
Howrah ..	83	23	23	..	..
Hooghly ..	94	41	41	..	..
Burdwan ..	86	49	49	..	..
Midnapore ..	33	18	18	..	..
Birbhum ..	50	21	21	..	..
Bankura ..	11	..	..	..	..
Barisal ..	3	..	..	..	..
Faridpur ..	14	10	16	6	..
Mymensingh ..	5	..	..	..	..
Dacca ..	5	..	..	..	..
Bogra ..	2	1	1	..	..
Pabna ..	14	7	7	..	..
Malda ..	24	6	6	..	..
Rajshahi ..	8	4	4	..	..
Rangpur ..	5	2	2	..	..
Noakhali ..	29	9	14	5	..
Chittagong ..	11	3	6	3	..
Tippera ..	3	1	5	4	..

Moslems in the posts of Sheristadar or Nazir in Civil Courts of Bakarganj.

8. Khwaja NAZIMUDDIN: (*a*) Will the Hon'ble Member in charge of the Judicial Department be pleased to state whether it is a fact that there is no Moslem Sheristadar, Nazir or Accountant in any Courts under the District Judge of Bakarganj?

(*b*) Is it a fact that the Anjuman of Patuakhali in July last requested the District Judge to appoint Moslems in these posts?

(*c*) Is it a fact that the District Judges gave hopes of considering the matter in future vacancies?

(*d*) Is it a fact that the post of Nazir of Patuakhali, Civil Court, fell vacant recently on the death of the Nazir, Rashik Chandra Das?

(*e*) Is it a fact that the Anjuman had requested the District Judge to fill up the vacancy with a Moslem?

(*f*) Is it a fact that a Hindu has been appointed as Nazir in that vacancy? If so, why?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Mr. L. Birley): (*a*) to (*f*) The appointments referred to are made by the District Judge under section 31 of the Civil Courts Act, 1887. Government do not consider it to be in the public interest to discuss the merits of individual appointments. Government have not given any undertaking to give any preference to Muhammadans for promotion.

Moslems in higher posts in Bakarganj Civil Courts.

9. Khwaja NAZIMUDDIN: (*a*) Will the Hon'ble Member in charge of the Judicial Department be pleased to state when Babu Nepal Chandra Sen, Sheristadar, Third Munsif's Court, Patuakhali, entered the service and, when he was made a Sheristadar?

(*b*) Is it a fact that he was made to supersede many senior officers for the Sheristadarship as he is a graduate?

(*c*) Will the Hon'ble Member be pleased to state the number of Moslem graduates, as—

(*i*) clerks, and

(*ii*) probationers

in the Courts under that District Judge?

(*d*) Will the Hon'ble Member be pleased to state what action, if any, the Government are proposing to take to appoint Moslems into some higher grade posts and into the ministerial posts in general in Government offices according to the latest circular issued by the Government on the subject?

(*e*) Are the Government considering the desirability of asking the District Judge of Bakarganj to appoint a Moslem as Nazir for Patuakhali Civil Court?

The Hon'ble Mr. L. BIRLEY: (*a*) to (*e*) The member's attention is invited to the answer given to question No. 8 asked by him.

Waiting rooms for female passengers attached to the railway stations on the Bengal Doors Railway.

10. Babu NAGENDRA NARAYAN RAY: (*a*) With reference to the reply given to my unstarred question No. 15 of the 3rd December, 1925, will the Hon'ble Member in charge of the Department of Public Works (Railways) be pleased to state whether the Government are now aware that there are no waiting rooms for female passengers attached to the railway stations on the Bengal Dooars Railway line?

(*b*) If the answer to (*a*) is in the affirmative, are the Government taking steps to move the proper authorities for the early construction of waiting rooms for female passengers in the stations situated on the said railway line?

(*c*) With reference to the reply to clause (*b*) of the said question of 3rd December, 1925, will the Hon'ble Member be pleased to state whether the attention of the railway authorities has been drawn to the subject matter of the question?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Member be pleased—

(*i*) to state whether the Government have received any reply from the said Railway Company; and

(*ii*) to lay on the table a copy of the said reply?

(*e*) If the attention of the railway authorities has not been drawn, will the Hon'ble Member be pleased to state the reason?

MEMBER in charge of DEPARTMENT of PUBLIC WORKS [RAILWAYS] (the Hon'ble Mr. J. Donald): (*a*) Government have no information.

(*b*) The question does not arise.

(*c*) Yes.

(*d*) (*i*) and (*ii*) No reply has been received.

(*e*) The question does not arise.

Female waiting rooms at certain stations on the Eastern Bengal Railway.

11. Babu NAGENDRA NARAYAN RAY: (*a*) Will the Hon'ble Member in charge of the Department of Public Works (Railways) be pleased to state whether the Government are aware—

(*i*) that the outer doors of the female waiting rooms in many stations, *e.g.*, Rangpur on the Eastern Bengal Railway, have been nailed up;

(*ii*) that owing to such closure of the outer doors of the female waiting rooms the female passengers in those stations have to make their way to and from the platforms through the common platform gates (in the thick of the males): and

(*iii*) that there is the danger of violence upon the persons of the female passengers at the platform gates when the rush of passengers is heavy?

(*b*) If the answer to (*a*) (*i*) is in the affirmative, will the Hon'ble Member be pleased to state whether the Government are prepared to

take steps to move the proper authorities for the reopening of the outer doors of the female waiting rooms in the stations on the Eastern Bengal Railway?

The Hon'ble Mr. J. DONALD: (*a*) (*i*) to (*iii*) No.

(*b*) No. There is an Advisory Committee to whom the member can refer.

Steamer fares from Hularghat to Khulna.

12. Rai SATYENDRA NATH ROY CHOUDHURI Bahadur: (*a*) Is the Hon'ble Member in charge of the Marine Department aware that the steamer fares from Hularghat to Khulna in the Barisal-Khulna line have been increased?

(*b*) If the answer to (*a*) is in the affirmative, are the Government considering the desirability of inquiring into the matter and stating whether there is any ground for it?

(*c*) Is it a fact that this increase has been made to make up for the reduction of fares from Barisal to Hularghat on account of the shortness of route *viâ* Ghabkhan Bharani Khal?

MEMBER in charge of MARINE DEPARTMENT (the Hon'ble Mr. J. Donald): (*a*) Yes.

(*b*) No.

(*c*) Government have no information.

Bidyadhari river.

13. Babu HEM CHANDRA NASKER: (*a*) Will the Hon'ble Member in charge of the Department of Irrigation be pleased to state what steps have been taken by Government to improve the condition of the river Bidyadhari in the district of the 24-Parganas?

(*b*) What steps are proposed to be taken by the department in connection with the above matter during the current year?

(*c*) Is the Hon'ble Member aware of the abnormally excessive prevalence of mosquitoes and flies in the places bordering the said river owing to the silting up of the river?

(*d*) What measures do the Government propose to take to mitigate the abovementioned nuisance?

MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble Maharaja Kshaunish Chandra Ray Bahadur of Nadia): (*a*) Some dredging has been done in the upper reaches of the Bidyadhari river near Bantala.

(*b*) None.

(*c*) The number of mosquitoes in this tract is large. It is surmised that they breed in the river bed during the dry season.

(*d*) None at present.

Record-keepers of offices of District Judges.

14. Babu NAGENDRA NARAYAN RAY: (*a*). Will the Hon'ble Member in charge of the Judicial Department be pleased to state whether it is a fact that the scale of salary of the posts of the Record-keepers in the offices of the District Judges in Bengal is smaller than the scale of salaries of the other posts in those offices?

(*b*) Are the Government considering the desirability of improving the condition of that post either in the shape of increasing the salary or granting some sort of allowance to the officers holding those posts?

The Hon'ble Mr. L. BIRLEY: (*a*) The pay of the Record-keeper in the office of a District Judge is less than that of the Sheristadar, Nazir and Translator.

(*b*) No.

Reorganization of Jail Department.

15. Maulvi ZANNOOR AHMED: (*a*) Will the Hon'ble Member in charge of the Department of Revenue (Jails) be pleased to lay on the table a statement showing—

(*i*) names of Deputy Jailors, Assistant Jailors, head clerks and clerks of the Jail Department;

(*ii*) their pay before the recent reorganisation of the Jail service;

(*iii*) their pay after the reorganisation; and

(*iv*) the date of their appointment?

(*b*) Is it a fact that selection was primarily made by the Personal Assistant to the Inspector-General of Prisons?

(*c*) Is it a fact that some of the Assistant Jailors were recently selected to the grade of Deputy Jailors, although they were declared unfit for such posts by the Selection Committee?

The Hon'ble Mr. L. BIRLEY: (*a*) (*i*) to (*iv*) Government do not think that the publication of such a statement would be in the public interest.

(*b*) and (*c*) No.

Assistant Jailors

16. Maulvi ZANNOOR AHMED: (*a*) Has the attention of the Hon'ble Member in charge of the Department of Revenue (Jails) been drawn to—

(*i*) the Hon'ble Sir Hugh Stephenson's reply to unstarred question No. 98 (*c*) (*ii*) and (*iii*) of the 19th August, 1925;

(*ii*) the Hon'ble Sir Hugh Stephenson's speech in the Bengal Legislative Council on the 14th August, 1925, at the time of moving a supplementary grant under the head "Jails and Convict Settlements";

(*iii*) paragraph 7 of rules for probationary Assistant Jailors sanctioned in Government of India, Home Department, letter No. 146, dated the 13th June, 1908; and

(*iv*) Government order No. 12040 J., dated the 30th November, 1925?

(*b*) Have the principles underlying the above speeches and orders been acted upon in the present selection of Deputy Jailors? If not, why not?

(*c*) What steps have been taken by the Government in pursuance of the assurance given by the Hon'ble Sir Hugh Stephenson on the 17th March, 1926, at the time of moving the Jail budget in the Bengal Legislative Council (*vide* last paragraph of the Hon'ble Sir Hugh Stephenson's speech)?

(*d*) Is it a fact that the Government have sanctioned recently a further increment of pay of Deputy Jailors and head clerks without considering the cases of Assistant Jailors, whose memorials were pending before the Government?

The Hon'ble Mr. L. BIRLEY: (*a*) (*i*) and (*ii*) Yes.

(*iii*) The rules are contained in rules 281—288 of the Jail Code.

(*iv*) Yes.

(*b*) and (*c*) The cases of the officers who have been promoted or passed over have been examined. In two cases officers who had been passed over have subsequently been promoted by the Inspector-General of Prisons. In all other cases the orders passed by the Inspector-General have been approved by Government.

(*d*) No: only the manner in which the scale of pay is to be applied has been indicated by a subsequent order.

Anglo-Indian and Domiciled European Juveniles in Alipore Central Jail.

17. Mr. H. BARTON: (*a*) Will the Hon'ble Member in charge of the Department of Revenue (Jails) be pleased to state how many Anglo-Indian and Domiciled European juveniles, boys and girls, have been in the Alipore Jail for juveniles during the past two years?

(*b*) What provision, if any, is there at that jail for their accommodation?

(*c*) Is it a fact that in the absence of suitable arrangements for their accommodation and food, etc., they are received into a jail for adults?

(*d*) If the reply to (*c*) is in the affirmative, what measures are adopted to keep them separated from adult prisoners?

The Hon'ble Mr. L. BIRLEY: (*a*) and (*b*) Such prisoners are not confined in the Alipore Juvenile Jail, where there is no special accommodation.

(*c*) and (*d*) Anglo-Indian and European boys are kept in a special yard in the Alipore Central Jail, separate from adults. They work in the Press under the direct supervision of paid officers. No Anglo-Indian or European girl has been admitted.

Dr. MORENO: With reference to the answer to (*c*) and (*d*), will the Hon'ble Member be pleased to state whether Anglo-Indian and European boys are provided with separate housing and sleeping accommodation from the adults?

The Hon'ble Mr. L. BIRLEY: Yes, quite separate from the adults.

Legislative Business.

Government Bills.

The Bengal Motor Vehicles Tax Bill, 1926.

MEMBER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (the Hon'ble Maharaja Kshaunish Chandra Ray Bahadur of Nadia): I present the Report of the Select Committee on the Bengal Motor Vehicles Tax Bill, 1926.

The Calcutta Port (Amendment No. II) Bill, 1926.

The Hon'ble Mr. J. DONALD: I present the report of the Select Committee on the Calcutta Port (Amendment No. II) Bill, 1926. There have been only some verbal alterations and a slight change in clause 3.

The Hon'ble Mr. J. DONALD: I move that the Calcutta Port (Amendment No. II) Bill, 1926, as reported by the Select Committee, be taken into consideration.

The motion was then put and agreed to.

Clauses 2 and 3.

Mr. PRESIDENT: Clauses 2 and 3 of this Bill are interdependent, so I propose to deal with them together. The movers of the amendments will please move their amendments together.

Babu KHAGENDRA NATH CANGULY: I move that in clause 2, in the proposed section 5, line 1, for the word "nineteen" the word "twenty-three" be substituted, that in clause 2, in the proposed section 5(*viii*), for the word "twelve" the word "sixteen" be substituted, that in clause 3, in the proposed sub-section (*1*) of section 6, last line, for the word "one" the word "three" be substituted, and that in clause 3, in the proposed sub-section (*1*) of section 6, penultimate line, the word "and" be omitted and at the end of the said sub-section (*1*) the following words be added, namely,—

"and two by the Municipal Commissioners of Howrah".

My object in moving these amendments is this: The members of the Select Committee have gone very carefully into the matter and have recommended the inclusion of only three names to represent the Indian mercantile community. Of course, I do say that this is a move in the right direction, but does that go far enough? I say it is not sufficient, because the Board of Port Commissioners should not be regarded as a close preserve of merchants, and such important bodies as the Corporation of Calcutta and the Municipality of Howrah have been left out. In fact, only one seat has been given to the Corporation of Calcutta and none to the Howrah Municipality. The Municipal Commissioners of Howrah have a great grievance in this respect. Formerly the District Magistrate was the Chairman of the Municipality and used to be nominated a member of the Port Trust to represent the Howrah Municipality, but since there has been an elected non-official Chairman this privilege has been withdrawn and our Chairman no longer finds a place in the Port Trust. Sir, as the Corporation of Calcutta and the Municipality of Howrah represent lakhs of people on both sides of the river, I do say that they should have adequate representation on the Trust and, therefore, I have suggested the addition of four members to the number—two of them to represent the Calcutta Corporation over and above the one already suggested in the Bill, and the other two to represent the Howrah Municipality.

Dr. PRAMATHANATH BANERJEA: I move that in clause 2, in the proposed section 5, line 1, for the word "nineteen" the word "twenty" be substituted; that in clause 2, in the proposed section 5(*vii*), the word "and" be omitted, and after the proposed section 5 (*vii*) the following be inserted, namely,—

"(*viia*) the Chief Executive Officer of the Corporation of Calcutta *ex-officio*, and "

that in clause 3, in the proposed sub-section (*1*) of section 6, line 2, for the word "six" the word "four" be substituted.

I congratulate the hon'ble mover of the motion on the good sense which has prompted him to bring forward the present Bill. He evidently realises that the provisions of the Act of 1890 are antiquated and require amendment. During the last 36 years the trade of Calcutta has developed by leaps and bounds, and the share of Indian merchants in that trade has vastly increased. The size of the port is now many times more than what it was in 1890. The citizens of Calcutta and the people of the province now take a keener and more intelligent interest in the affairs of the port of Calcutta. It is fit and proper, therefore, that the existing Act should be substantially modified.

The first amendment which stands in my name is a small one. It seeks to increase the number of Port Commissioners by one. There is, I believe, no charm in the number 19, and I hope it will not be contended that a body consisting of 20 persons is too unwieldly for practical work. On the other hand, I maintain that this slight increase in number will secure the representation of institutions deeply interested in the welfare of the Calcutta port.

Secondly, the Bill before the House provides for a constitution in which there are to be seven *ex-officio* members. It is quite right that the executive heads of the various bodies concerned with the port of Calcutta, as well as the agents of railways which connect the port with the distant parts of the country, should be *ex-officio* members of the Port Trust. But there is an omission. The Chief Executive Officer of the Calcutta Corporation who is responsible for the maintenance of the communications of the city with the port and for the preservation of the health of the population of the city is not included in this list. Whether this is an intentional or unintentional omission I do not know. But I do hope the Council will agree to insist on the correction of this mistake.

Thirdly, I propose that the number allotted to the Bengal Chamber of Commerce be reduced by two. I desire to make it clear at the outset that I have no feeling against the Bengal Chamber of Commerce. It is, so far as I know, a body of intelligent and respectable merchants engrossed in their own particular avocations—money-making being of course their main objective. I am not philosopher enough to regard

more as filthy. Nor have I any doubt that my colleagues in the Council will admit that the pursuit of wealth by proper means is quite legitimate. The Bengal Chamber of Commerce, however, seem to be over-represented on the Port Trust. They are entitled to adequate representation, but excessive representation and adequate representation are not quite the same. Now, when an institution which returns nearly one-third of the total number of members of a body, such an institution may surely be regarded as over-represented. Is it fair, I ask, that one body should be over-represented and others under-represented or go without any representation at all? The answer will of course be "No." Therefore, what I propose is that the number of this body be slightly reduced so that another body, namely, the Calcutta Corporation, may have a somewhat larger representation. It is proposed in this Bill to give the Calcutta Corporation one seat out of 19. This representation appears to me to be ridiculously small and hopelessly inadequate. In various ways, the Calcutta Corporation's activities are related to those of the Port Trust. The Corporation maintains the roads which lead to the port, and the sanitary condition of this city for which the Corporation is responsible has also a bearing on the activities of the Port Trust. Not unoften, the Port Trust impinges on the functions of the Corporation. Besides, it is very strange that the Calcutta Corporation should be placed on a par with the Trades Association—that a body which is responsible for the health and comfort of a million of men and women should be given the same representation as an institution consisting of a small number of European shop-keepers. Let us hope that the failure to notice this difference was due to absent-mindedness. Fairness and justice demand that the Calcutta Corporation should be given adequate representation. I do hope my proposals will be regarded as modest, and I condemn them to the acceptance of the House.

Babu AMULYA DHONE ADDY: I move that in clause 2, in the proposed section 5 (*viii*), for the word "twelve" the word "thirteen" be substituted, and that in clause 3, in the proposed sub-section (*1*) of section 6, last two lines, for the words "and one by the Corporation of Calcutta" the following words be substituted, namely,—

"one by the Corporation of Calcutta, and one jointly by the Aldermen and Councillors of the Corporation of Calcutta and the Commissioners of the Howrah, South Suburban and Tollygunge Municipalities."

We all know that Indian trade, commerce and industry are not well represented in the Calcutta Port Trust and, therefore, I thank the hon'ble mover of this Bill, Mr. Donald, as well as the Select Committee on this Bill for having recommended an increase in the number of representatives of Indian trade, commerce and industry. But notwithstanding this I do not think that even an increase in the number

of Indian representatives by four will make for adequate representation in the Trust, because it appears from the note of Mr. W. C. Banerjee, who was a member of the Calcutta Port Trust, which appears to have been circulated among the members of the Council, that in Bombay the number of Indian members is equal to the number of European members and in Karachi the number of Indian members is more than that of the European members. However, I beg to submit a very moderate suggestion, namely, an increase in the number by only one which may be acceptable to the Council as well as to the Government. I am not inclined to reduce the number of representatives of the Bengal Chamber of Commerce; they have the greatest interest in the Calcutta Port Trust, but at the same time I must say that the Calcutta Corporation has also a great interest in the administration of the Calcutta Port Trust. It appears that several public bodies interested in trade have made representations to us to increase the number of their representatives. The Marwari Association, the Marwari Chamber of Commerce, Babu Tarit Bhusan Roy on behalf of the Bengal Mahajan Sabha—they have all asked for more seats, and the Corporation of Calcutta as well as the Commissioners of Howrah Municipality also have asked for more seats. I do not think it is possible to please every public body, but there is not the slightest doubt that the number should be increased. It has been suggested that the Chief Executive Officer of the Calcutta Corporation should be an *ex-officio* member of the Trust. I beg to submit that it would be a cruelty to that officer if these additional duties were entrusted to him. He is already overworked. A very large area has recently been added to the town of Calcutta, and the Corporation has thought it fit—instead of increasing his salary—to reduce it from Rs. 3,000 to Rs. 1,500 a month. Sir, it may be said that he is an *ex-officio* member of the Calcutta Improvement Trust, but this is a different matter, because the duties of the Improvement Trust are similar to those of the Corporation of Calcutta, but the duties of the Calcutta Port Trust are different from those of the Calcutta Corporation. Sir, what I suggest is that one seat should be allotted to the representatives of the Corporation of Calcutta, and the Commissioners of the Municipality of Howrah, Behala and Tollygunge. What is the special reason for this suggestion? It will appear from clause 8 of the Howrah Bridge Act that the Corporation of Calcutta shall have to contribute Rs. 4 lakhs to the Calcutta Port Trust for the construction of the Howrah Bridge. Similarly, the rate-payers of the Howrah Municipality, South Suburban Municipality and the Tollygunge Municipality shall have to contribute Rs. 25,000 per annum towards the cost of the bridge. It is, therefore, right and proper that they should have some voice in the administration of the Calcutta Port Trust, especially in connection with the construction of the Howrah Bridge. With regard to Howrah, I think, Sir, they have a special claim. Under the existing Act generally, a nominee of the Howrah Municipality—

is nominated by the Government. The District Magistrate generally, as the Chairman of the Howrah Municipality, was nominated a member of the Calcutta Port Trust. But it appears from the Bill that there is to be no nomination whatever except in the case of the Chairman and the Deputy Chairman, for the agents of the railways are going to be *ex-officio* members of the Trust. Sir, a few years ago when the Commissioners of the Howrah Municipality represented to Government to have at least one seat on the Port Trust, they were assured that Government would be pleased to take that matter into consideration when the Bill would be amended, and, therefore, they have a certain claim to have some voice in the administration of the Trust.

Then, Sir, as regards the Bengal National Chamber of Commerce, I strongly support the provisions of the Bill. It would have been better, had all the additional seats been allotted to the National Chamber of Commerce. However, I have no objection to the recommendation of the Select Committee for reducing the seats allotted to the Bengal National Chamber of Commerce by one and allotting it to the Indian Chamber of Commerce, but I strongly object to a further reduction of the number of members to be elected by the Bengal National Chamber of Commerce. It has been alleged that the Bengal National Chamber of Commerce is not a very representative body, but I, Sir, as a representative of that body may be allowed to say that it is a very representative one—it consists not only of banks and bankers, but also of merchants, millers, traders, insurance companies, steamer companies, and other leading persons interested in trade, commerce and industry.

A voice: No.

Babu AMULYA DHONE ADDY: It consists of Bengalees, Marwaris, Bombay merchants, etc., it consists of Hindus as well as Muhammadans.

A Muhammadan member: No.

Babu AMULYA DHONE ADDY: Yes. I have got a list with me and I say that there are Muhammadan members, and I may add that we shall be very glad to increase the number of Muhammadan members if they would come forward. Then again, Sir, it consists not only of merchants and traders of Calcutta, but also merchants, millers, etc., of the mufassal, for we have merchants of Kushtia, Chittagong, Raniganj, and Mymensingh, as members of this body. So it would appear that the Bengal National Chamber of Commerce is really a true representative body of the Indian traders, merchants, millers and other persons interested in commerce and industry. It has also been alleged that the doors of this Chamber are closed and that it is not expansive. I question that statement, Sir, because the Chamber has been increasing

the number of its members from year to year, but I admit that it is closed to those traders who are not respectable; as regards respectable traders and merchants, the door is always open.

Then as regards the Bengal Mahajan Sabha, I may be allowed to say that the President and Secretary of the Sabha are members of this Chamber. There are several other Associations, viz., the Indian Mining Federation, the Marwari Association, the Marwari Chamber of Commerce, etc.—which are certainly representative of certain sections of traders and merchants—but all the leading members of those bodies are members of the Bengal National Chamber of Commerce. Sir, I may draw your attention to the opinion recorded by the Franchise Committee of the Government in connection with the respectability of the Bengal National Chamber of Commerce. They have stated:—

> "The Bengal National Chamber of Commerce is undoubtedly the foremost Indian commercial body in the Presidency of Bengal....."

Sir, mark the word "foremost"—"the foremost Indian commercial body in the Presidency of Bengal".

".....The list of its members includes all the more prominent Indian business-men and they have interests throughout Bengal."

Then, Sir, I may draw your attention to the following observations made by His Excellency Lord Hardinge, ex-Viceroy and Governor-General of India. His Excellency said:—

"You are constantly consulted by Government on questions affecting not only the commercial community, but also the general welfare of the people. You have given useful and valuable advice....."

Therefore, I beg to submit that the number of seats allotted by the Select Committee to the Bengal National Chamber of Commerce should not be reduced. On the contrary, one additional seat may be allotted to please the citizens of Calcutta and Howrah and the adjoining municipalities owing to their contribution of Rs. 4,25,000 per annum towards the cost of the maintenance of the Howrah Bridge. I may again be allowed to draw your attention to the opinion of the Bengal Chamber of Commerce on this point; they were in agreement with the proposal that the object of the Bill would be effected by raising the number of representatives of the Bengal National Chamber of Commerce from one to four. Then, Sir, even the Calcutta Port Trust have expressed this opinion:—

"The Commissioners are very strongly in favour of providing for increased representation of the Indian mercantile community by giving the Bengal National Chamber of Commerce the right to appoint more Commissioners. The Commissioners consider that it would be of

considerable value to them in their work if the representation of Indian commerce were to remain in the hands of one body, and they are satisfied that this would not only ensure that the best and most influential men in the Indian commercial community found places on the Board, but also that the advice and views of the various branches of Indian commerce would always be available to the Commissioners."

There is no reason why the Bengal National Chamber of Commerce, which, in the opinion of the Calcutta Port Trust, holds the leading position in Indian commerce should not be allowed to elect Commissioners with a special knowledge of the various interests. So, Sir, if we allot additional seats to the Bengal National Chamber of Commerce, I think that body shall be able to give entire satisfaction.....

Mr. PRESIDENT: Order, order. That is not your amendment, Mr. Addy. You must speak on your amendment.

Babu AMULYA DHONE ADDY: Now, Sir, I beg to submit that I am going to support the Bill, as amended by the Select Committee, with this exception that I want to increase the number by one only, so that that additional seat may be allotted to the representatives of the citizens of Calcutta, Howrah, and the adjoining municipalities, on the ground that it is only the other day that they were forced, under the Howrah Bridge Bill, to make a contribution of Rs. 4,25,000 per annum towards the cost of the maintenance of the bridge.

Mr. PRESIDENT: That is all right, Mr. Addy. You are making a long reference to the Bengal National Chamber of Commerce, that is what I object to.

Babu AMULYA DHONE ADDY: Sir, it is my duty, my sacred duty, as a representative of the Bengal National Chamber of Commerce.....

Mr. PRESIDENT: Mr. Addy, I must ask you to shorten your remarks.

Babu AMULYA DHONE ADDY: Sir, as I have already stated, it is very difficult to please everybody, especially when several bodies have asked for two or three seats each when the total number of seats is limited. But I beg to make this moderate suggestion in accepting the recommendations of the Select Committee, which have been framed after mature deliberation, that the total number may be increased by one, so as to allow of a seat being allotted to the representatives of the citizens of Calcutta and the adjoining municipalities. I understand, Sir,—I distinctly remember—that when the Howrah Bridge Bill was under consideration, and when some of the representatives of the Corporation suggested that there should be a separate Board in charge of the Howrah Bridge, and that the Corporation of Calcutta should have a very large number of representatives on that Board, they were

assured by Government that that fact would be taken into consideration when the Bill for the amendment of the Calcutta Port Trust would come up. I think this is the best opportunity to give effect to that suggestion. With these remarks, Sir, I beg to move these amendments.

Babu SURENDRA NATH RAY: I beg to move that in clause 2, in the proposed section 5 (*viii*) for the word "twelve" the word "thirteen" be substituted and that in clause 3, in the proposed sub-section (*1*) of section 6, penultimate line, the word "and" be omitted and at the end of the said sub-section, the following words be added, namely,—

"and one by the South Suburban and Tollygunge Municipalities."

Sir, you are probably aware that it is only the other day that the Howrah Bridge Bill was passed as a result of which the South Suburban and Tollygunge Municipalities will have to pay some portion of their rates and taxes for the maintenance of the Howrah Bridge, and as the Port Commissioners are now going to administer the Howrah Bridge, I think it is only meet and proper that these two municipalities should have some voice in the affairs of the Port Commissioners. Moreover, I find from a notification published only about a fortnight ago that a very large tract of land within the South Suburban Municipality is going to be acquired by the Port Commissioners, and as such I think there must be some representative of that municipality on the Port Trust for the Port Commissioners will carry on their work within that municipality; and it would be an anomalous state of things if the municipality cannot have any voice in the affairs of the Port Commissioners. So what I want is that only one member be added to the Port Trust. That is all that I have to say.

Mr. TARIT BHUSAN ROY: I move that in clause 3, for the proposed sub-section (*1*) of section 6, the following sub-section be substituted, namely,—

"(*1*) Of the elected Commissioners—

six shall be elected by the Bengal Chamber of Commerce,
one by the Calcutta Trades Association,
two by the Bengal National Chamber of Commerce,
one by the Indian Chamber of Commerce, Calcutta,
one by the Bengal Mahajan Sabha, and
one by the Corporation of Calcutta."

Sir, I shall be as brief as possible in putting my amendment before the House. It is a well-known fact that the European commercial and trading interests have all along been represented by the Bengal Chamber of Commerce and the Calcutta Trades Association, and so long the

privilege of representing the interests of the Indian mercantile community has been confined to the Bengal National Chamber of Commerce only. As a matter of fact, the provision which was laid down in the Act of 1890 was to the effect that there should be a representative elected by such body or bodies as the Local Government might consider as best representing the interests of the Indian mercantile community on the Trust. It must be admitted on all hands that the Bengal National Chamber of Commerce came into existence long before the Mahajan Sabha or the Marwari Chamber of Commerce were established. The Local Government at this time, for obvious reasons, did not amend this provision, as they knew that the interests of the Indian mercantile community were expanding and extending. It is true that the Bengal National Chamber of Commerce at the time when the Calcutta Port (Amendment) Bill was considered in the year 1919 pressed for a statutory right being given to them with a view to representing the Indian mercantile interests on the Trust, but the Local Government did not concede to their demand.

I really do not understand why at the present moment in the Bill as framed by the Local Government all the four seats recommended in favour of the Indian mercantile community should have been reserved exclusively for the Bengal National Chamber of Commerce. I am sorry I cannot persuade myself to believe for one single moment that the Bengal National Chamber of Commerce is a thoroughly representative body. As a matter of fact, it is well known that the Calcutta Trades Association has been representing ever since its foundation the European trading interests of Calcutta. The Bengal Mahajan Sabha, which I have the honour to represent in this Council represents and rightly represents the inland trading interests of Bengal. The Sabha is in close touch with the Port Trust at Calcutta and contributes largely towards the revenues of the Trust. It is, therefore, desirable that the Mahajan Sabha should be represented on the Calcutta Port Trust. The Indian Chamber of Commerce has been allotted one seat by the Select Committee, but there has been absolutely no provision whatsoever for the representation of the Indian trading interests on the Trust. I, therefore, submit to the House that the Bengal Mahajan Sabha should be allowed the right of representing their trading interests.

Sir ABD-UR-RAHIM: I move that in clause 3 for the proposed sub-section (*1*) of section 6 the following shall be substituted, namely,—

"(*1*) Of the elected Commissioners—

six shall be elected by the Bengal Chamber of Commerce,

one by the Calcutta Trades Association,

one by the Corporation of Calcutta, and

four by such body or bodies as the Local Government shall, from time to time, select as best representing the interests of the Indian mercantile community."

Sir, I do not think it is necessary for me to say much in support of this amendment. It relates to the question of proper procedure to be followed in giving increased representation to the Indian mercantile interests of Calcutta. The object of this Bill has the hearty appreciation of every Indian member, in fact of every member of this House, and I think the Hon'ble Member-in-charge of the Bill deserves congratulations for having brought it forward. If any justification was needed for the procedure I have suggested rather than the procedure suggested by the majority on the Select Committee, I think that justification has been amply furnished by the different amendments that have been moved before this House. Mr. Addy has produced many a chit in favour of his Bengal National Chamber of Commerce. I do not know how far the Government, which has forbidden chits now-a-days, will appreciate the importance of these certificates. Mr. Addy claims that his is the most representative body—that it is the body that represents the entire Indian interests. Then, what about the other bodies here? There is the Marwari Chamber of Commerce, there is the Indian Chamber of Commerce, there is the Mahajan Sabha. Sir, I do not think it can be rightly claimed by any single commercial body, however respectable it is, that it represents the entire Indian commercial interests of Calcutta. I do not want to say one word in disparagement of any of these bodies, but what I mean to say is this—that even all these put together do not represent the entire Indian commercial interests. I know as a matter of fact that there is a large number of mercantile men outside these associations whose trading interests are not at all represented; and I also know that in fact another such association is in process of formation which will represent very considerable commercial interests. Surely, Sir, it is a very unusual thing to put in a statute a non-statutory body. These are private associations, and it is possible to conceive that an association which is representative to-day may cease to be representative a year hence. It is equally possible that another association may spring up which is more representative, more influential than any existing body. If you decide that these bodies should be included in the statute itself, you will make it very difficult for any modification to be made that altered circumstances may demand, from time to time, supposing any of the associations named in the statute ceases to be representative or any other association springs up which deserves greater consideration. Take, for instance, the Government of India Act. The principle upon which the Government of India Act proceeds is this: It does not lay down details of the franchise. It leaves that to be decided by the rules which are elastic and which can be

changed from time to time in order to suit the circumstances and as occasion arises and without having to use the cumbrous machinery of the Legislature. The Government of India Act lays down the main principles on which franchise is to be based, and these it leaves to a Rule Committee in order to lay down the details, and I submit to this House that this is the proper procedure to be followed in matters of this sort. There are so many associations which claim to be represented that it would be far more judicious to leave the matter to the discretion of some responsible authority to select from, from time to time, as the best fitted to represent the commercial interests. There are members who are common to more than one association; it has to be seen how you are to avoid giving plural votes, and whether there would be any means of differentiating the interests of one association from another. I submit that the best procedure and the simplest procedure would be to leave it to the rules framed by the Government or by a Committee—a responsible Committee—to select those commercial associations which ought to send their representatives to the Port Trust.

Maulvi SAYYED SULTAN ALI: I move that in clause 3, in the proposed sub-section (*1*) of section 6, lines 4-7, for the words "three by the Bengal National Chamber of Commerce, one by the Indian Chamber of Commerce, Calcutta," the following words be substituted, namely,—

> "four by such body or bodies as the Local Government shall, from time to time, select as best representing the interests of the Indian mercantile community."

As, Sir Abd-ur-Rahim has already said all that can be said on this subject, I do not think I should say anything more on the subject.

Rai BADRIDAS GOENKA Bahadur: I move that in clause 3, in the proposed sub-section (*1*) of section 6, line 4, for the word "three" the word "two" be substituted and that in clause 3, in the proposed sub-section (*1*) of section 6, penultimate line, the word "and" be omitted, and at the end of the said sub-section (*1*), the following words be added, namely:—

> "and one by the Marwari Association, Calcutta."

Sir, in moving the amendment standing in my name I want to assure the House at the outset that the claims of the Marwari Association to separate representation on the Port Trust are in no way based on sectional consideration. The main consideration in constituting a body like the Port Trust is to ensure the appointment of men who have intimate knowledge about the various classes of business passing through the port and who truly represent the interests of the business

community. Purely sectional representatives have no place there, and it is obvious also that once the principle of sectional representation is accepted, there will be no end of the demand.

I base the claim of the Marwari Association on more solid grounds. The present Bill has been introduced to grant greater representation to Indian interests, because of the undeniable fact that there has been an increase in the proportion of business handled by Indian firms to the total amount of business which passes through the Port. The Act, as it now stands, provides that one Commissioner shall be elected by such body or bodies, or firms, as the Local Government shall, from time to time, select as best representing the interests of the native mercantile community, and I understand that the same principle is going to be followed in the present case also. It is, I think, also the intention of the Government to see that the advice and views of the various branches of Indian commerce should always be available to the Commissioners. Now, Sir, it has to be admitted that the activities and enterprise of Marwari firms mainly account for increased participation of Indians in the sea-borne trade of Calcutta. I do not like to trouble the House with statistics, but it is too well known that the share of the Marwari firms in the direct import trade of Calcutta is not inconsiderable, while the percentage of the expert trade handled by them is steadily increasing. It will be no exaggeration to state that the Marwaris constitute by far the most important business community among the Indians in Calcutta and the representation of Indian commerce to any institution will be incomplete and inadequate if they are not truly represented there. Again, if there be any body which is competent to give advice and opinion on the various branches and aspects of Indian commerce in Calcutta, I believe it is the Marwari Association, which alone can undertake that responsibility. To keep this most influential body out of the Trust will be unjust, inequitable, if not positively injurious to the interests of Indian commerce, and yet the provisions of the Bill virtually propose that. I do not grudge the increased representation granted to the Bengal National Chamber: on the other hand, I welcome it. I would have been certainly glad if it were possible to grant us an additional seat retaining the present allotment to the Bengal National Chamber, but as considerations of efficiency restrict the size of the Trust, I am under the necessity of moving the amendment to reduce the Chamber's share to two seats and claiming one for the Marwari Association. It may be argued that the Marwari representative can come through the Bengal National Chamber; it may be stated even that a verbal assurance has already been given by the representatives of that Chamber to reserve one of its seats for a Marwari member, but practical difficulties are bound to arise in the way of the proper representation of the Marwaris under this arrangement. The Marwari Association which represents the interests of the community is not affiliated to the Bengal National Chamber and the

number of Marwari firms, who are members of that Chamber, is insignificant in proportion to the number of non-Marwari firms. Under the existing provisions, the Marwari member is to come, if he comes at all, through the Bengal National Chamber, and it is quite possible that the right man, who enjoys the confidence of the community, will not be elected at all.

I should like to quote a few lines from a note by Mr. W. C. Banerjee of the Bengal National Chamber in this connection, to show how the responsible members of that institution regard our claim to separate representation. Mr. Banerjee says:—

"We cannot afford to forget that it is the Marwari merchants who have been vehemently protesting against the present constitution of the Port Trust, and it is on their representation through the Marwari Association that the question of amendment has been mooted. To throw them overboard on the incorrect belief that the Marwari Association is a political body and on the ground that some members are common to the National Chamber of Commerce is doing them an act of injustice to which I cannot allow myself to be made a party."

Sir, I hope I have been able to make my standpoint clear. I may repeat that I do not want separate representation on sectional basis. If increased representation is to be given to Indian commerce, ours is a just claim, and the purpose of the Bill will be defeated if the Marwari community be not effectively represented on the Trust.

Babu BORODA PROSAD DEY: It goes without saying that the proposed amendment of the Calcutta Port Act is a move in the right direction, inasmuch as it introduces more of election and more of non-official members. But then the question arises whether the proposed amendment has gone far enough, and the various amendments that have been moved in this Council this afternoon will go to show that there are other interests which have not been represented on the Port Trust, and their claims should be considered in the light of the interests that they represent. Sir, it was only the other day that we passed in this House the Howrah Bridge Act by which we entirely placed the maintenance and the management of that bridge in the hands of the Port Commissioners, and also by the same Act we legislated that taxes should be imposed in Calcutta as well as in Howrah and other suburban municipalities. It is a common axiom of law that there ought not to be any taxation without representation. If that has got to be respected, it goes without saying that these bodies from whom these taxes are to be realised in connection with one of the most important functions of the Port Trust should have proper representation in that body. It is also a truism that the Port Trust which was so long to a great extent an exclusive body by reason of

the development of its functions needs more popular representation. If that is so, it only follows as a corollary that the public should be well represented in that body. It used to be to a great extent an official institution, and the people were never given an opportunity of having their interests represented in that body. Now that the Government have thought fit, and thought very wisely, that on this body popular representatives should be admitted, it follows that the interests which clamour for representation and whose claims cannot be overlooked by any means should be allowed to have their representation in that body. We have again, by the Howrah Bridge Act, provided a very big sum out of the provincial revenues to be spent by the Port Trust. If that is so, Sir, why should not the public or the people of the province have a right to be represented on that body. All these matters should be properly considered, and representation should be given to the various interests whose claims to representation are really undeniable, and are, perhaps, similar to those of the Bengal Chamber of Commerce or the Bengal National Chamber of Commerce to whom a very adequate representation has been given. With these words I support most of the amendments that have been moved in this House

Hadji Mr. A. K. ABU AHMED KHAN CHUZNAVI: I can see no objection to the amendment moved by Sir Abd-ur-Rahim and which also stands in my name, inasmuch as it merely leaves it to the Government to select such bodies as will best represent the interests of the entire mercantile community—Hindu, Moslem, Anglo-Indian, Jains or Parsees—when electing four Commissioners. As far as I am aware, neither the Bengal National Chamber of Commerce nor the Indian Chamber of Commerce, nor any other association of a like nature has within its fold a single representative who can be called a representative Moslem merchant, although it cannot be doubted that alone in Calcutta there are a large number of representative Moslems who can be called merchant princes. Somehow or other, all these seats are mysteriously closed to representative Moslem merchants who, I understand, are shortly going to form a Chamber of their own. I am quite sure it cannot be the intention of this House that Moslem representation should be entirely excluded from amongst the Calcutta Port Commissioners. Unless this amendment be carried, there cannot be any real representation at all. On these grounds, I heartily support the amendment that has been moved.

Mr. R. B. WILSON: The main object of this Bill is to increase from one to four the number of elected representatives from the Indian mercantile community to the Calcutta Port Commission, and the only question that would seem to arise is, as regards the method to be adopted of appointing these four elected representatives.

The present Act says that one of the elected Commissioners shall be appointed "by such body or bodies or firms as the local Government shall, from time to time, select as best representing the interests of the native mercantile community".

In practice, in the past, this has amounted to the privilege having been granted to the Bengal National Chamber of Commerce to appoint the one Commissioner but if representation from the Indian mercantile community to the Port Trust is going to be increased to four, then it is necessary to look a little more closely at the qualifications of the Bengal National Chamber to whom it is proposed to give no less than three out of the four seats.

I think I am right in saying that this Chamber is the oldest or one of the oldest Indian Chambers or mercantile bodies. They have done good work in the past. Their membership includes many old exporting and importing firms, and so long as only one representative was required on the Port Trust, so long—up to now—have they perhaps been entitled to that seat, but the reason of the proposed increase from one to four is that various Indian interests are entitled to be heard and these interests cannot be adequately served by less than four representatives. It is very necessary that these four should be elected from the most influential Indian mercantile bodies. How far can the Bengal National Chamber be considered to be representative of the Indian mercantile community at the present moment? Things are changing. The Indian Mining Federation is no longer affiliated to the Bengal National Chamber, while a new body has sprung up, the Indian Chamber of Commerce, which numbers among its members many influential Indian merchants and firms.

In point of numbers, influence, wealth, and work in the port, is the Bengal National Chamber entitled to three seats? Is it a fair and proportionate representation from the Indian mercantile community? The Indian Chamber of Commerce claim one seat.

In spite of Mr. Khaitan's disclaimer, I am going to take it that they are content with one seat, because I never heard him express himself to the contrary in Select Committee.

Let us look at their claim—their membership is about 100 against 250 in the Bengal Chamber, and according to the figures which I have been given, the capital employed by members is Rs. 35 crores against the Bengal National Chamber's Rs. 5 crores. Undoubtedly, whether these figures are strictly accurate or not, they are a wealthy and influential body of traders, doing a considerable trade through the port as compared with the smaller trade of the Bengal National Chamber. On figures alone, they are actually entitled to a much bigger representation than the Bengal National Chamber. Why are they content with

one seat out of the four? I conclude that their modesty, a modesty inseparable from the personality of my friend Mr. Khaitan, is due to the fact that they are a very young body having been formed only a few months ago, and perhaps they are satisfied to have their name even mentioned in the Bill.

Sir, I hold no brief for the Indian Chamber of Commerce in the presence of Mr. Khaitan, nor do I hold a brief for the Indian Mining Federation in Mr. Banerjee's presence, nor do I hold a brief for any Indian Chamber or body in this matter. I have signed a note of dissent with my friend Sir Abd-ur-Rahim, holding no brief for the Muhammadan mercantile community. But I do hold a brief from the mercantile community generally, and it is to see that we get only the best men on the Port Trust, the first and most important consideration being that these men have an intimate knowledge of businesses which depend on the successful work of the Port Commissioners.

It is neither necessary nor desirable that the Port Trust should be composed of representatives or sections of the Indian mercantile community, each working for their own benefit. If it is a question of granting communal or sectional representation, then there would be no limit to the number of demands which might arise. It has been suggested in Select Committee that as the Bengal Chamber's name is mentioned in the Port Act, so the Indian Chambers should be mentioned, by name, in the amending Bill. I did not think any reasonable person would put forward such a contention. The Bengal Chamber is in almost the hundredth year of its existence, and in point of numbers, in prestige and in representation of commerce in Bengal it stands higher to-day than it ever did, but I would like to make it quite clear that in the note of dissent which I have signed I have only said that the interests of the Indian mercantile community will be best served, *under present conditions*, if the names of the Bengal National Chamber and the Indian Chamber are left out and the old wording is allowed to remain.' This does not mean that the Indian Chambers' names will not ultimately come on the Port Act, it only means that until the time comes when they have a strong and representative Chamber, I am of opinion that their names should not appear in the Bill. The Indian Chamber of Commerce, wealthy and influential as it may be, has only been in existence for a few months; what guarantee have we that a few months hence they may not be out of existence? The Indian Mining Federation, lately affiliated to the Bengal National Chamber, has recently changed its allegiance, like the Vicar of Bray it may change again, and again, while the Bengal National Chamber has within the past six months, that is, since the formation of the Indian Chamber of Commerce, added the names of 50 persons to its membership roll. I think if we look below the surface we may find that this is not altogether to its commercial credit.

There are many reasons for thinking that the time is not yet ripe for the inclusion of the Indian Chambers' names in the body of this Bill. It must not be inferred that the allotment will not ultimately be three to the Bengal National Chamber and one to the Indian Chamber of Commerce. I do not know what the allotment of seats will be, but with rapidly changing conditions and new bodies springing up, I consider it to be very inadvisable, from the point of view of commercial interests generally, to depart from the old wording of the Bill. I, therefore, strongly support Sir Abd-ur-Rahim's amendment.

Babu DEBI PROSAD KHAITAN: At first I had no intention of taking part in the debate raised over this question, but after what my friend Mr. Wilson has said, I think I would be failing in my duty if I do not thank him for the good word that he has said about the Indian Chamber of Commerce. Mr. Wilson seems to think that I was satisfied with the one seat allowed to the Indian Chamber of Commerce. That was not at all so. On the other hand, I have taken care to append a minute of dissent, saying that the seat allowed to the Indian Chamber of Commerce is not adequate. The reason that my vote went in a particular way at the Select Committee meeting is quite different, and I am not at liberty to disclose the reasons which led me to do so. The figures which my friend Mr. Wilson has given about the Indian Chamber of Commerce are not only correct but they are to a certain extent modest, because he has not stated the influence, the prominence and the very good work that the Indian Chamber of Commerce has been doing in spite of its young age. I think, Sir, that intelligence and strength are not the monopoly of old age. If simply age is the consideration, I think there are many persons in the world who are older than all of us here in this House, but still they do not find a place here. Therefore, age is not the only consideration for which the intelligence, the prominence and the utility of any person or a body of persons can be gauged. Mr. Wilson remarked that he is not aware when a certain body would cease to exist. In order to find out whether there is any likelihood of a certain body ceasing to exist or not, I think one has got to analyse the strength of that body and the members composing it, and when that is seen there is no doubt whatever. The Indian Chamber has on its roll not only the big, but almost all the influential and wealthy, firms which carry on the largest amount of trade and commerce, and the industries of Bengal. Considering the great progress that the Indian Chamber of Commerce is making, there can be no hesitation on the part of anybody in thinking that the Indian Chamber of Commerce has come into being to fill a great gap in Bengal and is going to stay. I hope, Sir, that whatever provision is made in the Calcutta Port Act, the claims of the Indian Chamber of Commerce will be fully considered not only by the Legislative Council in future, but also by the Government.

Rai ABINASH CHANDRA BANERJEE Bahadur: As Mr. Wilson was pleased to make a reference to the Indian Mining Federation, I as Chairman of that Federation will fail in my duty if I did not say as a sort of explanation that it is not a new body. It has been in existence for the last 16 or 17 years, and if it severed its connection with the Bengal National Chamber of Commerce, it was for reasons which I am not at liberty to disclose. It had no other alternative than to do it. It has now connected itself with the Indian Chamber of Commerce, and as the port of Calcutta deals very heavily with the export of coal trade not only the Indian Mining Federation, but also the Indian Mining Association have a claim for a separate seat each on the Calcutta Port Trust. When we waited on deputation on the Hon'ble Member in charge, we were told that no sectional representation would be considered by the Government, and for that reason the Indian Mining Federation did not press its claims. They also thought that the Indian Chamber of Commerce with which they had now been associated would have a fair amount of representation to include the Indian Mining Federation as well. As a representative of that body I would like to support the amendment which has been put forward by Sir Abd-ur-Rahim.

The Hon'ble Mr. J. DONALD: Sir, I seem to have to deal with amendments covering nearly all the letters of the alphabet—dealing with the claims of various local bodies and Chambers of Commerce. The first amendment is to increase the number of Commissioners from 19 to 20; there are three proposals to this effect. I do not see any reason why we should increase the number; the number nineteen is quite enough.

There are three different demands for the proposed extra seat. There is first Dr. Pramathanath Banerjea who wants a seat for the Chief Executive Officer of the Calcutta Corporation. As Mr. Addy has said, we should not impose duties which will overwork that officer.

Then there is Babu Amulya Dhone Addy who wants this extra seat for a representative of a combined constituency—the Calcutta Corporation and some suburban municipalities. And Babu Surendra Nath Ray would like to have the twentieth seat for the South Suburban and Tollygunge Municipalities. These last two amendments are based on considerations arising out of the construction of the new Howrah bridge. I explained, when discussing the Howrah Bridge Bill, that practically everything in connection with the new bridge had already been settled by the Bill itself, and all that remained for the future was the administration of the bridge—a matter for experts, not necessitating any particular administration by the Commissioners themselves as a body. Babu Surendra Nath Ray does not, I may observe, seem to have

understood that the administration of the Howrah bridge has been in the hands of the Port Commissioners and its experts even since it was built fifty years ago.

Babu Khagendra Nath Ganguly wants two seats for the Howrah Municipality. He makes the statement that Howrah representation on the Port Trust ceased when the Magistrate of Howrah ceased to be the Chairman of the Municipality. This is not correct. The Magistrate of Howrah was the representative of Howrah on the Port Trust, but he ceased to be a representative, even before he ceased to be the Chairman of the Municipality.

There are no more cogent grounds for giving Howrah representation—urged because of the Howrah bridge—than in the case of the municipalities I have just referred to.

Further, there are several amendments for giving more representation to the Calcutta Corporation. Dr. Pramathanath Banerjea has given various arguments, but I think the boot should really be on the other leg. He bases his claim on the fact that the Corporation have to look, among other things, after the roads leading to the Docks. The correct argument surely is that the Port Commissioners should have larger representation on the Corporation to see that the roads are kept in order. There is one representative from the Calcutta Corporation, and that is quite sufficient; there is no necessity for an additional member from that body.

I, therefore, object to all the amendments which suggest increased representation—even of the Calcutta Corporation or of other local bodies. I also object to the amendment for decreasing the representation of the Bengal Chamber of Commerce. We are dealing here with the trade and commerce of Calcutta, in both of which the Bengal Chamber of Commerce has the paramount interest. Six is a fair representation and cannot be diminished on any account. In comparison with that, four for the Indian trade is a reasonable proportion. The amendments which would reduce the number of representatives of the Bengal Chamber of Commerce and make it equivalent to the Calcutta Corporation or the Indian trade in the matter of representation are out of the question. I cannot possibly agree to them.

I now come to the amendment of Sir Abd-ur-Rahim. From the discussion in this House this afternoon, I think it is quite clear that that amendment seems to be the most desirable way of securing representation for all parties. What the Government would have liked was one real solid body representing Indian commerce—a body similar to the Bengal Chamber. This seems, however, incapable of fulfilment. We have heard from Mr. Wilson something about the constitution and the relative value of the various associations, and this all points to the advisability of leaving particular associations out of the statute.

It seems impossible to get an efficient and solid body of trade to which we can give adequate representation. And it is urged that some of the Chambers and Associations that exist are not on a really permanent basis; in the present circumstances, it is difficult to say that they are truly representative or will continue to be truly representative. For that reason I am prepared to accept the amendment of Sir Abd-ur-Rahim.

[The Council was then adjourned for ten minutes for prayer.]

[After adjournment.]

Mr. PRESIDENT: The question is that in clause 2, in the proposed section 5, line 1, for the word "nineteen" the word "twenty-three" be substituted.

The motion was then put and a division taken with the following result:—

AYES.

Addy, Babu Amulya Dhone.
Ahmed, Maulvi Zannecr.
Bagchi, Babu Romes Chandra.
Banerjea, Dr. Pramathanath.
Banerjee, Mr. A. C.
Basu, Babu Sarat Chandra.
Chakravarti, Mr. Syamkes.
Chakraverty, Babu Sudarsan.
Chaudhuri, Maulvi Saiyed Abdur Reb.
Chaydhuri, Rai Harendranath.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Das Gupta, Dr. J. M.
Dey, Babu Baroda Prosad.
Gafur, Maulvi Abdul.
Ganguly, Babu Khagendra Nath.
Haque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Huq, Mr. Mahbubul.
Jeardar, Maulvi Aftab Hossain.
Khan, Maulvi Abdur Paschid.
Mahammad, Maulvi Basar.
Mukerjea, Babu Taraknath.
Nasker, Babu Hem Chandra.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Babu Surendra Nath.
Ray, Dr. Kumud Sankar.
Ray, Babu Manmatha Nath.
Roy, Babu Satcowripati.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarkar, Babu Hemanta Kumar.
Sasmal, Mr. B. N.
Sen Gupta, Mr. J. M.
Suhrawardy, Dr. A.
Tarafdar, Maulvi Rajib Uddin.

NOES.

Ahmed, Sardar Mahafezuddin.
Ahmed, Maulvi Tayebuddin.
Ahsanullah, Mollah.
Ali, Maulvi Sayyed Sultan.
Banerjea, Rai Bahadur Abinash Chandra.
Barton, Mr. H.
Basu, Babu Jatindra Nath.
Birley, the Hon'ble Mr. L.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Child, Mr. R. N.
Chowdhury, Maulvi Fazlal Karim.
Cohen, Mr. D. J.
Cooper, Mr. G. G.
Crawford, Mr. T. C.
Das, Babu Charu Chandra.
Das, Rai Bahadur Amar Nath.
Daud, Mr. M.
Davis, Mr. J. Cowper.
De, Mr. K. C.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. G.
Dutt, Mr. G. S.
Farequi, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Ghaznavi, Hadji Mr. A. K. Abu Ahmed Khan.
Goenka, Rai Bahadur Badridas.
Guha, Mr. P. N.
Haq, Khan Bahadur Kazi Zahirul.
Heard, Major General Richard.
Hodgson, Mr. R. C.
Hopkyns, Mr. W. S.
Hossain, Nawab Musharruf, Khan Bahadur.

Jannaway, Mr. J. H.
Khaitan, Babu Debi Prosad.
Lal Mahammad, Haji.
Lindsay, Mr. J. H.
Masih, Mr. Syed M.
Meikjohn, Mr. M. C.
McKenzie, Mr. S. P.
Mitter, Sir Provash Chunder.
Moberly, Mr. A. H.
Morgan, Mr. G.
Mukerji, Mr. S. C.
Pahlewan, Maulvi Md. Abdul Jubbar.
Patterson, Mr. D. C.
Philip, Mr. J. Y.
Rahim, Sir Abdur.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra of Nadia.
Ray Chaudhuri, Mr. K. C.
Ray Chaudhuri, Raja Manmatha Nath of Santosh.
Ray, Mr. S. N.
Roy, Mr. Tarit Bhusan.
Roy, Raja Manikli Singh of Chakdighi
Salam, Khan Bahadur Maulvi Abdus.
Simpson, Mr. J. W. A.
Stapleton, Mr. H. E.
Suhrawardy, Mr. H. S.
Travers, Mr. W. L.
Villiers, Mr. E.
Wilson, Mr. R. B.

The Ayes being 39 and Noes 61, the motion was lost.

Mr. PRESIDENT: The question is that in clause 2, in the proposed section 5, line 1, for the word "nineteen" the word "twenty" be substituted.

The motion was then put and a division taken with the following result:—

AYES.

Addy, Babu Amulya Dhone.
Ahmed, Maulvi Zannoor.
Bagchi, Babu Romes Chandra.
Banerjea, Dr. Pramathanath.
Banerjee, Mr. A. C.
Basu, Babu Jatindra Nath.
Basu, Babu Sarat Chandra.
Biswas, Mr. Abdul Latif.
Chakravarti, Mr. Byomkes.
Chakraverty, Babu Sudarsan.
Chaudhuri, Maulvi Saiyed Abdur Reb.
Chaudhuri, Rai Harendranath.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Das Gupta, Dr. J. M.
Dey, Babu Beroda Prosad.
Gafur, Maulvi Abdul.
Ganguly, Babu Khagendra Nath.
Goenka, Rai Bahadur Badridas.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Huq, Mr. Mahbubul.
Jeardar, Maulvi Aftab Hossain.
Khan, Maulvi Abdur Rashid.
Khan, Maulvi Amanat.
Mahammad, Maulvi Sasar
Mitter, Sir Provash Chunder.
Mukerjea, Babu Taraknath.
Naskar, Babu Hem Chandra.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Babu Surendra Nath.
Ray, Dr. Kumud Sankar.
Roy, Babu Manmatha Nath.
Roy, Babu Satcowripati.
Roy, Dr. Bidhan Chandra.
Ray, Mr. D. N.
Ray, Mr. Kiran Sankar.
Ray, Raja Manikli Singh of Chakdighi.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarkar, Babu Hemanta Kumar.
Sasmal, Mr. B. N.
Sen Gupta, Mr. J. M.
Suhrawardy, Dr. A.
Tarafdar, Maulvi Rajib Uddin.

NOES.

Ahmed, Sardar Mahafezuddin.
Ahmed, Maulvi Tayebuddin.
Ahsanullah, Moulvi.
Ali, Maulvi Sayyed Sultan.
Banerjea, Rai Bahadur Abinash Chandra.
Burton, Mr. H.
Birley, the Hon'ble Mr. L.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Child, Mr. R. H.
Chowdhury, Maulvi Fazlal Karim.
Cohen, Mr. D. J.
Cooper, Mr. C. S.
Crawford, Mr. T. C.
Das, Babu Charu Chandra.
Das, Rai Bahadur Amar Nath.
Daud, Mr. M.
Davis, Mr. J. Cooper.
De, Mr. K. C.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. S.
Dutt, Mr. S. S.
Faroqui, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Ghaznavi, Hadji Mr. A. K. Abu Ahmed Khan.

Guha, Mr. P. N.
Haq, Khan Bahadur Kazi Zahirul.
Heard, Major General Richard.
Hodgson, Mr. R. G.
Hopkyns, Mr. W. S.
Hossain, Nawab Musharruf, Khan Bahadur.
Huq, Maulvi Ekramul.
Jennaway, Mr. J. H.
Khaitan, Babu Debi Prosad.
Lal Mahammed, Haji.
Lindsay, Mr. J. H.
Masih, Mr. Syed M.
McAlpin, Mr. M. C.
McKenzie, Mr. D. P.
Meberly, Mr. A. N.
Moreno, Dr. H. W. B.
Morgan, Mr. G.
Mukerji, Mr. S. C.
Pahlowan, Maulvi Md. Abdul Jubbar.
Patterson, Mr. D. G.
Philip, Mr. J. Y.
Rahim, Sir Abd-ur-.
Ray, Babu Nagendra Narayan.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra of Nadia.
Ray Chaudhuri, Mr. K. C.
Ray Chaudhuri, Raja Manmatha Nath of Santosh.
Roy, Mr. S. N.
Roy, Mr. Tarit Bhusan.
Salam, Khan Bahadur Maulvi Abdus.
Simpson, Mr. J. W. A.
Stapleton, Mr. H. E.
Suhrawardy, Mr. H. S.
Travers, Mr. W. L.
Wilson, Mr. R. B.

The Ayes being 45 and the Noes 58, the motion was lost.

The following amendments failed:—

Dr. PRAMATHANATH BANERJEA to move "That in clause 2, in the proposed section 5 (*vii*), the word 'and' be omitted and after the proposed section 5 (*vii*) the following be inserted, namely.—

'(*viia*) the Chief Executive Officer of the Corporation of Calcutta *ex-officio*, and '."

Babu KHAGENDRA NATH GANGULY to move "That in clause 2, in the proposed section 5 (*viii*), for the word 'twelve' the word 'sixteen' be substituted."

Babu AMULYA DHONE ADDY and **Babu SURENDRA NATH RAY** to move "That in clause 2, in the proposed section 5 (*viii*), for the word 'twelve' the word 'thirteen' be substituted."

The motion standing in the name of Mr. Tarit Bhusan Roy "That in clause 3, for the proposed sub-section (*1*) of section 6, the following sub-section be substituted; namely,—

'(*1*) Of the elected Commissioners—

six shall be elected by the Bengal Chamber of Commerce,
one by the Calcutta Trades Association,
two by the Bengal National Chamber of Commerce,
one by the Indian Chamber of Commerce, Calcutta,
one by the Bengal Mahajan Sabha, and
one by the Corporation of Calcutta,"

was then put and lost.

The motion standing in the names of Sir Abd-ur-Rahim, Hadji Mr. A. K. Abu Ahmed Khan Ghuznavi, Mr. H. S. Suhrawardy and Khan Bahadur Maulvi Abdus Salam "That in clause 3 for the proposed sub-section (*1*) of section 6 the following shall be substituted, namely,—

'(*1*) Of the elected Commissioners—

six shall be elected by the Bengal Chamber of Commerce,
one by the Calcutta Trades Association,
one by the Corporation of Calcutta, and
four by such body or bodies as the Local Government shall from time to time select as best representing the interests of the Indian mercantile community,'"

was then put and a division taken with the following result:—

AYES.

Ahmed, Sardar Mahaterzuddin.
Ahmed, Maulvi Tayebuddin.
Ali, Maulvi Shyyed Sultan.
Banerjea, Rai Sahadur Abinash Chandra.
Barton, Mr. H.
Birley, the Hon'ble Mr. L.
Chaudhuri, the Hon'ble Nawab Bahadur Satyid Nawab Ali, Khan Bahadur.
Child, Mr. R. N.
Chowdhury, Maulvi Fazlal Karim.
Cohen, Mr. D. J.
Cooper, Mr. C. G.
Crawford, Mr. T. C.
Das, Babu Charu Chandra.
Das, Rai Sahadur Amar Nath.
Daud, Mr. M.
Davis, Mr. J. Couper.
De, Mr. K. C.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. G.
Gutt, Mr. D. S.
Faroqui, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Gafur, Maulvi Abdul.
Ghaznavi, Hadji Mr. A. K. Abu Ahmed Khan.
Goenka, Rai Sahadur Badridas.
Guha, Mr. P. N.
Haq, Khan Sahadur Kazi Zahirul.
Heard, Major General Richard.
Hodgson, Mr. R. G.
Hopkyns, Mr. W. S.
Hossain, Nawab Musharruf, Khan Sahadur.
Huq, Maulvi Ekramul.
Jennaway, Mr. J. H.
Khaitan, Babu Debi Prosad.
Lal Mahammed, Haji.
Lindsay, Mr. J. N.
Masih, Mr. Syed M.
McAlpin, Mr. M. C.
McKenzie, Mr. D. P.
Moberly, Mr. A. N.
Marsne, Dr. H. W. S.
Morgan, Mr. G.
Mukerji, Mr. S. C.
Pahlowan, Maulvi Md. Abdul Jubbar.
Pattersen, Mr. D. C.
Philip, Mr. J. Y.
Quader, Maulvi Abdul.
Rahim, Sir Abd-ur-.
Ray, Babu Nagendra Narayan.
Ray, the Hon'ble Maharaja Sahadur Kshaunish Chandra of Nadia.
Ray Chaudhuri, Mr. K. C.
Ray Chaudhuri, Raja Manmatha Nath al Santosh.
Roy, Mr. S. N.
Roy, Mr. Tarit Bhusan.
Roy, Raja Manilall Singh at Chakdighi.
Salam, Khan Sahadur Maulvi Abdus.
Simpson, Mr. J. W. A.
Stapleton, Mr. H. E.
Suhrawardy, Dr. A.
Suhrawardy, Mr. H. S.
Travers, Mr. W. L.
Wilson, Mr. R. S.

NOES.

Addy, Babu Amulya Dhone.
Ahmed, Maulvi Zanneer.
Ahsanullah, Hajiah.
Bagchi, Babu Romes Chandra.
Banerjea, Dr. Pramathanath.
Banerjea, Mr. A. C.
Basu, Babu Jatindra Nath
Basu, Babu Sarat Chandra.
Biswas, Mr. Abdul Latif.
Chakravarti, Mr. Byomkes.
Chakravarty, Babu Suderam.
Chaudhuri, Maulvi Saiyed Akbar Ali.

Chaudhuri, Rai Harendranath.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Monilal Mohan.
Das Gupta, Dr. J. M.
Dey, Babu Sorada Prosad.
Ganguly, Babu Khagendra Nath.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Huq, Mr. Mahbubul.
Jeardar, Maulvi Aftab Hossain.
Khan, Maulvi Abdur Rashid.
Khan, Maulvi Amanat.
Mahammad, Maulvi Sasar.
Mitter, Sir Provash Chunder.
Mukerjea, Babu Taraknath.
Nandy, Maharaja Kumar Srie Chandra.
Nasker, Babu Hem Chandra.
Naskat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Babu Surendra Nath.
Ray, Dr. Kumud Sankar.
Ray, Babu Manmatha Nath.
Ray, Babu Satpowripati.
Ray, Dr. Bidhan Chandra.
Ray, Mr. D. N.
Roy, Mr. Kiran Sankar.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarkar, Babu Hemanta Kumar.
Sasmal, Mr. S. N.
Sen Gupta, Mr. J. M.
Tarafdar, Maulvi Rajib Uddin.

The Ayes being 62 and the Noes 43 the motion was carried.

Clauses 1 and 2, clause 3 as amended, clauses 4 to 10, and the Preamble were then put and agreed to.

The Hon'ble Mr. J. DONALD: I move that the Bill, as settled in Council, be passed.

The motion of the Hon'ble Mr. J. Donald was then put and a division taken with the following result:—

AYES.

Addy, Babu Amulya Dhone.
Ahmed, Sardar Mahafazuddin.
Ahmed, Maulvi Tayebuddin.
Ahsanullah, Moilah.
Ali, Maulvi Sayyed Sultan.
Banerjee, Rai Sahadur Abinash Chandra.
Barton, Mr. H.
Birley, the Hon'ble Mr. L.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Child, Mr. R. H.
Chowdhury, Maulvi Fazlal Karim.
Cohen, Mr. D. J.
Cooper, Mr. D. G.
Crawford, Mr. T. C.
Das, Babu Charu Chandra.
Das, Rai Bahadur Amar Nath.
Daud, Mr. M.
Davis, Mr. J. Cooper.
De, Mr. K. C.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. G.
Dutt, Mr. G. S.
Farequi, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Ghaznavi, Hadji Mr. A. K. Abu Ahmed Khan.
Goenka, Rai Bahadur Badridas.
Guha, Mr. P. N.
Haq, Khan Bahadur Kazi Zahirul.
Heard, Major General Richard.
Hodgson, Mr. R. G.
Hopkyns, Mr. W. S.
Hussain, Nawab Musharruf, Khan Bahadur.
Huq, Maulvi Ekramul.
Jennaway, Mr. J. H.
Khaitan, Babu Debi Prosad.
Lal Mahammed, Haji.
Lindsay, Mr. J. H.
Masih, Mr. Syed M.
McKenzie, Mr. D. P.
Mitter, Sir Provash Chunder.
Moberly, Mr. A. H.
Morene, Dr. H. W. B.
Morgan, Mr. G.
Mukerji, Mr. S. C.
Pahlawan, Maulvi Md. Abdul Jubbar.
Patterson, Mr. D. C.
Philip, Mr. J. Y.
Rahim, Sir Abd-ur-.
Ray, Babu Nagendra Narayan.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra of Nadia.
Ray Chaudhuri, Raja Manmatha Nath of Santosh.
Roy, Mr. S. N.
Roy, Raja Manilall Singh of Chakdighi.
Salam, Khan Bahadur Maulvi Abdus.
Simpson, Mr. J. W. A.
Stapleton, Mr. H. E.
Suhrawardy, Dr. A.
Suhrawardy, Mr. H. S.
Travers, Mr. W. L.
Wilson, Mr. [illegible]

NOES.

Ahmed, Maulvi Zamneer.
Biswas, Babu Romes Chandra.
Banerjea, Dr. Pramathanath.
Bhuiya, Mr. Abdul Latif.
Chakraverty, Babu Sudarsan.
Chaudhuri, Maulvi Saiyed Abdur Reb.
Chaudhuri, Rai Harendranath.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Das Gupta, Dr. J. M.
Dey, Babu Beroda Prasad.
Gafur, Maulvi Abdul.
Ganguly, Babu Khagendra Nath.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Huq, Mr. Mahbubul.
Joardar, Maulvi Aftab Hossain.
Khan, Maulvi Abdur Rashid.
Khan, Maulvi Amanat.
Mahammadi, Maulvi Basar.
Mukerjea, Babu Taraknath.
Nasker, Babu Hem Chandra.
Naskat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Babu Surendra Nath.
Ray, Dr. Kumud Sankar.
Roy, Babu Manmatha Nath.
Roy, Babu Satcowripati.
Ray, Dr. Bidhan Chandra.
Roy, Mr. C. N.
Roy, Mr. Kiran Sankar.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarkar, Babu Hemanta Kumar.
Sasmal, Mr. S. N.
Sen Gupta, Mr. J. M.
Tarafdar, Maulvi Rajib Uddin.

The Ayes being 60 and the Noes being 36 the motion was carried.

The Bengal Cruelty to Animals (Amendment) Bill, 1926.

The Hon'ble Mr. L. BIRLEY: I beg leave to introduce a Bill to amend the Bengal Cruelty to Animals Act, 1920.

(The Secretary then read the title of the Bill.)

The Hon'ble Mr. L. BIRLEY: I move that the Bengal Cruelty to Animals (Amendment) Bill, 1926, be taken into consideration. For the convenience of members who are unacquainted with the somewhat complicated history of Bengal legislation for the prevention of cruelty to animals, I will explain what the present position is: The Act which is now in force is Bengal Act I of 1869—a short Act of 10 sections, which was amended in 1900 by an Act which introduced clauses penalising the practice of *phooka* and providing that the Magistrate might cause to be sent to an infirmary an animal in respect of which an offence was proved.

In 1920 a new Act was passed, but it has not yet been brought into force. The principal additional provisions of the Act of 1920 were:—

(*1*) provision was made for search warrants—an essential provision for dealing with the practice of *phooka;*

(*2*) provision was made legalising the removal of loads to weigh-bridges for the purpose of ascertaining whether an animal was overloaded; and

(*3*) numerous duties were assigned to Veterinary Inspectors with the result that the employment of qualified Veterinary Officers became an essential feature of the working of the Act.

The reason why the Act of 1920 was not brought into force was that it would have proved ineffective for the lack of three requirements, namely,—

(*i*) an organisation which was prepared to work the Act,

(*ii*) the provision of weigh-bridges, and

(*iii*) qualified Veterinary Officers.

It was thought at one time that the Calcutta Corporation would be able to provide weigh-bridges and Veterinary Officers and would then be in a position to work the Act. They were, however, unable to do so. About two years ago the Calcutta Society for the Prevention of Cruelty to Animals undertook a thorough reorganisation of its staff and methods, and they have now provided the weigh-bridges, the Veterinary Inspectors and an infirmary, which are essential for the working of the Act.

It was found, however, when the actual procedure was considered, that there were defect in the Act of 1920. These have been explained in the Statement of Objects and Reasons and they are briefly that the excess load can only be removed to a police-station, whereas Calcutta police-stations have no godowns for the storage of goods. It was also found that there might be considerable expenditure in the handling of goods and in conveying them to the two central godowns which have now been provided by the Society for the storage of excess loads which are not speedily removed by the owners, and it has been thought proper to provide under the law that such expenditure shall be recovered from the owners.

The object of the present Bill, therefore, is to make this new provision for dealing with excess loads, and at the same time opportunity has been taken to provide for the prohibition of the use of buffaloes for draught purposes in the middle of the day in the hot season. This latter is a proposal which was made in 1925 by the Calcutta Corporation, and a great deal of attention has been drawn to the sufferings of buffaloes during the intense hot weather of this year.

In the last session of this Council, we had under consideration the Bengal *Phooka* Bill introduced by Dr. Moreno. In opposing that Bill I explained that Government hoped to pass an Act in the August session which would make Dr. Moreno's Bill unnecessary. I also undertook that we would carefully consider the specific proposals which Dr. Moreno had introduced in his Bill. Dr. Moreno had proposed that powers should be given to search without warrant. No doubt, such powers if properly exercised would facilitate the discovery of offences of practising *phooka*, but there were many people who felt that such powers would be open to abuse. I think that we shall all be unwilling to adopt that proposal on the ground that the Society itself does not desire that such powers should be given.

I have inspected the two central godowns which have been provided by the Society for the storage of excess loads. I have seen the infirmary which the Society has provided for the detention of animals which required a few days' rest or treatment and do not need to be sent so far away as to the Veterinary Hospital at Belgachia, and I have seen the procedure at a weigh-bridge. There are 9 of these weigh-bridges and as far as I can judge the procedure is likely to work satisfactorily. What will generally happen will be that the excess load will be removed from the cart at the weigh-bridge, notice will be given through the cartman to the owner, who will send another cart or carts to remove the excess without any additional cost being incurred. If, however, there is delay in removing the excess load, the owner will have to bear the cost of taking it to the central godown. I understand that a large proportion of the overloading cases are found in the Strand Road, and as one of the central godowns is in the Strand Road very near to a weigh-bridge the cost of removal in such cases will not be large.

It is obvious, however, that systematic checking of excess loads will have the effect of making it not worth while to overload the animals.

As regards restricting the use of buffaloes in the hot season, Government recognise that this very necessary measure may have serious effects on the owners of buffalo-carts. They are prepared, therefore, to introduce restrictions somewhat gradually, but I think that anyone who has witnessed the sufferings of these animals, which were never intended by nature for the work to which they are subjected, will agree that even at the cost of some dislocation of the owners' business it is quite essential that restrictions should be imposed.

While anxious to remove from this city the disgrace which is incurred by the sights of cruelty which can be daily witnessed, the Calcutta public are rightly very anxious that this Act should be honestly worked. I have been fully convinced that there has been in the past year a complete revolution in the organisation of the Society for the Prevention of Creulty to Animals and in the methods of its work. The Society has been fortunate in securing in Mrs. Stanley a Secretary who is not only determined to put down dishonesty but who also has experience which helps her in her task, and I am satisfied that the control over the staff is marked not only by that strictness which is essential, but also by an intelligent anticipation of such causes as tend to lead to dishonesty, and above all by a sympathetic consideration of the needs of the staff.

I think, therefore, that the Council in passing this Bill may feel confident that it will materially strengthen the hands of Government in removing an evil which we all deplore, and that the duty of

administering the Act may be entrusted to the Society for the Prevention of Cruelty to Animals with every confidence that the work will be done efficiently.

The motion was put and agreed to.

The following motions were not moved:—

Rai SATYENDRA NATH ROY CHOUDHURI Bahadur to move, by way of amendment, that the Bill be circulated for the purpose of eliciting opinion thereon by the 15th October, 1926.

Babu AMULYA DHONE ADDY to move, by way of amendment, that the Bill be circulated for the purpose of eliciting opinion thereon within one month from the 16th August, 1926.

Mr. PRESIDENT: The question is that clause 2 stand part of the Bill.

The motion was put and agreed to.

Clause 3.

Mr. PRESIDENT: The question is that clause 3 stand part of the Bill.

Babu AMULYA DHUNE ADDY: I move that clause 3 be omitted.

Under this clause if any person employs a buffalo for draught purposes between such hours and during such period as may be prescribed, he shall be punished for every such offence with a fine of Rs. 50. It will also appear that under clause 6 the Bill proposes to authorise the Local Government to prescribe the period during which and the hours during which buffaloes shall not be used for draught purposes. I agree with the mover of the Bill that in the hot season these buffaloes suffer very much. My contention is this, that the remedy suggested in the Bill is not the right one. We have stands for motor-cars, we have also stands for hackney-carriages, but not a single stand has been provided either by the Calcutta Corporation or by the Society for the Prevention of Cruelty to Animals for bullocks and buffaloes. So it appears that there is one law for the rich and another for the poor, because the carters are generally poor. If out of sympathy for these buffaloes it is desirable to have some provision in the law, then we must make some provision for their stands and sheds along public streets as in the case of hackney-carriages and motor-cars. I move this amendment because I am strongly of opinion that it will interfere with trade. Our business is generally carried on between 9 A.M. and 5 P.M. Therefore, if we specify periods within which these buffalo-carts cannot be driven and if we accept the suggestion of the Calcutta Corporation that in the months of March to July, *i.e.*, for 5 months,

the buffalo-carts cannot be driven continuously for 5 hours a day, namely, from 11 A.M. to 4 P.M., the result will be disastrous to trade, because most of the carts employed by the trade are buffalo-carts. Therefore, if this clause is enacted into law, the number of carts will dwindle down and they will be replaced by motor-lorries. Even the Society for the Prevention of Cruelty to Animals is under some apprehension on this point. They say that their Committee fully realise that the provision made under the proposed section will require to be carefully examined, in order to avoid any dislocation of trade conditions in the city. I beg to submit that if this clause is not omitted, it will, instead of avoiding, dislocate the trade conditions of this city. I was invited by the Executive Committee of the Indian Chamber of Commerce to discuss this question. They were unanimously of opinion that this clause should be omitted. We have just heard from a leading member of the Bengal Chamber of Commerce that that is a Chamber which consists of the leading Indian merchants of Calcutta. Am I to understand that there will be no rainfall even during the hot season of the five months referred to? Will it not be a source of hardship if these buffalo-carts are not allowed to be driven during that period? We all know that the Kidderpore Docks are closed at 5 P.M. Some are of opinion that these carts may be employed at night, but for what purpose? If it be for the carriage of goods from godown to godown or from godown to the docks or railway stations, then these buffalo-carts will be of no use at night, because who is to look after the goods at that time? Then what is the proper remedy? The remedy is this, reduction of the maximum load. Before 1917 there was no distinction between a bullock-cart and a buffalo-cart. But since then the maximum load has been reduced in the case of bullock-carts but increased in the case of buffalo-carts. In the case of bullock-carts it has been reduced from 20 to 15 maunds, but in the case of buffalo-carts it has been increased from 20 to 25 maunds. That is the reason why the number of bullock-carts has been replaced by the large number of buffalo-carts. If this clause be retained in the Bill, these buffalo-carts will be replaced by motor-lorries. Therefore, I understand that the proposal is to enrich the proprietors of motor-lorries at the cost of the poor carters, and that is the reason why I strongly insist on this amendment. As regards the Calcutta Port Trust Railway, the period of free delivery is only 6 hours, as compared with 24 hours in the case of other railways. Therefore, if during the hot season the goods cannot be booked or taken delivery of in time, then the merchants will have to pay heavy demurrage. Under these circumstances, I beg to move that this clause be omitted.

Mr. G. G. COOPER: I am very surprised at the action of Mr. Addy in endeavouring to wreck the Bill when, within my personal knowledge, he said he had every sympathy with the objects of the Bill and promised to support it, and I am afraid his explanation of his action in moving the amendment is not convincing.

As with all schemes of reform there are practical difficulties to be faced, but there could never be any reforms if difficulties were not faced. I appreciate that any restriction in the use of buffaloes for draught purposes may lead to dislocation of traffic, more especially as the attitude of the carters is likely to be obstructive to the smooth working of any new rules, but something has got to be done towards checking the horrible cruelty that exists by the employment of the buffalo, and this Bill is a step in the right direction.

Any effort directed towards checking the cruelty seen every day in the streets of Calcutta by the employment of buffaloes as draught animals must be warmly supported by everyone in the House, irrespective of party. The bullock is a natural draught animal, but the water buffalo is not, and was never intended by nature to be used in this capacity. Size is not a criterion of strength, yet by having increased the load on buffaloes the use of the buffalo has increased. To see these poor unfortunate beasts drawing a heavy load during the heat of the day is a revolting sight that is most discreditable to the city of Calcutta.

If only two hours' restriction say, from 1 P.M. to 3 P.M., is enforced, it will greatly assist the position. A certain amount of elasticity must be allowed in working the rules during the first period of restriction, and if an honest endeavour is made by all parties concerned in co-operating towards making the rules a success, a great many of the apparent difficulties will be overcome.

So far as the criticisms levelled against the Society for the Prevention of Cruelty to Animals are concerned, I agree that the criticisms were justified as, in the past, there is no question that serious irregularities were practised and were allowed to pass unchecked. The rates of pay offered by the Society were insufficient to attract a good class of men, which lead to corrupt practices. A very drastic change has been made, and under the present energetic and able administration, the Society is making an honest endeavour to overcome the irregularities of the past.

The initial pay of the Agents has been almost doubled, whilst the rank of Inspector is now filled only by young men who are graduates of the Bengal Veterinary College, which changes have been made with a view to encouraging to the service of the Society men of the right type with a greater sense of their responsibilities. The number of Inspectors has been increased, and in addition four Chief Inspectors have been appointed, so that the supervision is stricter. I mention these facts as I know there are those who doubt the wisdom of giving the Society further powers under the 1920 Act, but with the reorganisation of the Society and its existing efficient administration I feel sure that the irregularities of the past will not occur in the future, and therefore, that the Society may be safely entrusted to carry out the working of the Bill.

Personally, I for one would wish to see the use of the water buffalo as a draught animal absolutely prohibited, but I appreciate that it is not within the bounds of practical politics to effect such a much needed reform all at once. The change must be introduced gradually, and I would ask this House to show their practical sympathy with any effort directed towards the prevention of cruelty that occurs in this city by opposing the amendment now before the House.

The Hon'ble Mr. L. BIRLEY: Government cannot agree to this amendment. The protection of buffaloes is one of the objects to which the Society for the Prevention of Cruelty to Animals and, the Government, and, I believe, the general public attach the greatest importance. I understood from Babu Amulya Dhone Addy that he wanted stands for the buffaloes, but that would not protect them from the sun. Bullocks do not suffer as much as buffaloes from the heat. I, therefore, oppose this amendment.

The motion of Babu Amulya Dhone Addy was then put and lost.

Mr. PRESIDENT: The question is that clauses 3 to 7 stand part of the Bill.

The motion was then put and agreed to.

Mr. PRESIDENT: The question is that the Preamble stand part of the Bill.

The motion was then put and agreed to.

Mr. PRESIDENT: The question is that clause 1 stand part of the Bill.

The motion was then put and agreed to.

The Hon'ble Mr. L. BIRLEY: I beg to move that the Bill as settled in Council be passed.

The motion was put and agreed to.

Report of the Committee on Public Accounts, 1924-25, and Excess Grants.

MEMBER in charge of FINANCE DEPARTMENT (the Hon'ble Mr. J. Donald): I beg to present the Report of the Bengal Legislative Committee on Public Accounts on the Appropriation and Audit Reports for the year 1924-25.

The Hon'ble Mr. J. DONALD: I beg to move that an excess grant of Rs. 17,650 be voted by the Council to regularise the expenditure

chargeable to revenue actually incurred in excess of the voted grant in the year 1924-25 in respect of Irrigation expenditure, including working expenses. The Public Accounts Committee have recommended after examination of the question that this sum may be provided by the Legislative Council by an excess vote.

The motion was then put and agreed to.

The Hon'ble Mr. J. DONALD: I beg to move that an excess grant of Rs. 4,914 be voted by the Council to regularise the expenditure not charged to revenue actually incurred in excess of the voted grant in the year 1924-25 in respect of "Irrigation, Navigation, Embankment and Drainage Works not charged to Revenue". In this case also the Public Accounts Committee recommended that the sum be provided by the Legislative Council by an excess vote.

The motion was then put and agreed to.

Adjournment.

The Council was then adjourned till 3 P.M. on Tuesday, the 17th August, 1926, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Tuesday, the 17th August, 1926, at 3 P.M.

Present:

The Hon'ble the President (KUMAR SHIB SHEKHARESWAR RAY) in the Chair, the four Hon'ble Members of the Executive Council, and 103 nominated and elected members.

Starred Question

(to which oral answer was given).

Assistant Jailors.

*4. **Maulvi ZANNOOR AHMED:** (*a*) Will the Hon'ble Member in charge of the Department of Revenue (Jails) be pleased to state the result of the memorials submitted by the Assistant Jailors?

(*b*) Is it a fact that there has been a feeling of discontent over the recent reorganization among jail officials?

(*c*) Is it a fact that several Assistant Jailors have tendered their resignations?

MEMBER in charge of DEPARTMENT of REVENUE [JAILS] (the Hon'ble Mr. L. Birley): (*a*) The member is referred to the answer given to his unstarred question No. 16.

(*b*) Yes, among officers who have not been promoted.

(*c*) One Assistant Jailor has tendered his resignation.

Unstarred Questions

(answers to which were laid on the table).

Allotment of money to Khulna for public works.

18. **Maulvi SAYYED SULTAN ALI:** (*a*) Will the Hon'ble Member in charge of the Department of Public Works be pleased to lay a statement on the table showing separately the amounts allotted to the Khulna, Jessore, Faridpur and Bakarganj districts, in each of the years 1924, 1925 and 1926?

(*b*) Will the Hon'ble Member be pleased to state whether any new scheme has been abandoned in the Khulna district for want of funds?

(*c*) If the answer to (*b*) be in the affirmative, will the Hon'ble Member be pleased to state the reason of allotting less money to the Khulna district?

MEMBER in charge of DEPARTMENT of PUBLIC WORKS (the Hon'ble Mr. J. Donald): (*a*) The member is referred to the financial statements for the years in question.

(*b*) No.

(*c*) The question does not arise.

Sub-Inspectors and Assistant Sub-Inspectors of Police.

19. Maulvi KADER BAKSH: (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state what is the standard qualification for the post of Assistant Sub-Inspector and Sub-Inspector of Police?

(*b*) Is it a fact that both Sub-Inspectors and Assistant Sub-Inspectors of Police are recruited from amongst persons of the same social standing?

(*c*) How many B. As. and M. As. are there in the rank of Assistant Sub-Inspector of Police?

(*d*) Are the Government considering the desirability of revising the scale of pay of the members of the cadre of Assistant Sub-Inspector of Police?

(*e*) Is it a fact that in the case of temporary vacancies in the post of Sub-Inspector in a thana, Assistant Sub-Inspectors of Police are not allowed to officiate?

(*f*) Is the Assistant Sub-Inspector of Police allowed any allowance, either in the shape of a horse or cycle? If not, why not?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. L. Birley): (*a*) The minimum educational qualification of a candidate is the Matriculation Standard or the Islamic Matriculation of an Indian University or the Final B or C Class Examination of a Zilla or High School.

(*b*) Yes.

(*c*) Government have no record and are not aware that there are any.

(*d*) No.

(*e*) Assistant Sub-Inspectors are not appointed to officiate in the post of Sub-Inspectors because the necessary leave reserve is provided in the rank of Sub-Inspectors, but they are appointed to temporary posts of Sub-Inspectors.

(*f*) They are entitled to free housing but are not given horse or cycle allowances, because they are not investigating officers.

Recording votes of "purdanashin" female voters.

20. Maharaj Kumar SRIS CHANDRA NANDY: (*a*) Has the attention of the Hon'ble Member in charge of the Appointment Department been drawn to the desirability of having separate polling booths for female voters with female presiding officers at the time of the next election to the Bengal Council?

(*b*) If not, what arrangements are the Government going to make for *purdanashin* ladies?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Mr. L. Birley): (*a*) and (*b*) Regulation XXVIII of the revised Bengal Electoral Regulations provides that as far as possible separate compartments and separate entrances and exits should be provided for women electors and requires that suitable arrangements should also be made for recording the votes of *purdanashin* female voters as far as practicable. District Officers have been asked to consider what suitable arrangements are practicable if the member has any ideas on the subject, the District Magistrate of Murshidabad will doubtless be glad to have them.

Football matches on Calcutta Maidans.

21. Babu HEM CHANDRA NASKER: (*a*) Is the Hon'ble Member in charge of the Police Department aware of the inordinate rush of visitors in the Calcutta Maidan to witness the football matches?

(*b*) Is it not a fact that a far larger number of tickets for entrance into the enclosures are generally issued than there is accommodation provided?

(*c*) Is it a fact that the visitors in getting admission meet with accidents in various ways?

(*d*) If the answers to (*b*) and (*c*) are in the affirmative, are the Government considering the desirability of taking steps to put a stop to this abuse?

(*e*) Will the Hon'ble Member be pleased to state the principle of leasing out these stalls?

(*f*) Are the Government considering the desirability of leasing out these stalls at an auction sale every year, instead of giving the monopoly to one company only?

The Hon'ble Mr. L. BIRLEY: (*a*) Government are aware that a large number of spectators watch important matches.

(*b*) No, but at least on one occasion this year forged tickets were issued on the day of the match resulting in legitimate purchasers finding it difficult to obtain accommodation.

(*c*) and (*d*) Minor accidents sometimes occur but this cannot be altogether avoided when people swarm round the ticket boxes and push their way in.

(*e*) For some years past an annual contract has been entered into with Messrs. Headwards & Co. They are the only people in Calcutta who possess the necessary stands which they themselves took over from the previous contractors Messrs. B. H. Smith & Co.

(*f*) Not at present; there are no other firms to the knowledge of the Commissioner of Police, Calcutta, who can supply stands to the specification required, but the Commissioner of Police will be prepared to consider such firms if there are any.

Dr. H. W. B. MORENO: Have the Government before them any proposal for the erection of a stadium on the Calcutta Maidan for the accommodation of those who go to see football matches and other sports?

The Hon'ble Mr. L. BIRLEY: I have heard of such a proposal, but I shall require notice to state exactly whether it is before Government now.

Lino operators of Bengal Government Press.

22. Mr. K. C. RAY CHAUDHURI: (*a*) Is the Hon'ble Member in charge of the Finance Department aware that the Lino operators in the Bengal Government Press are employed on piece-rate system, while the Lino operators in the India Government Press are employed on salaries?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state the reasons for the differential treatment?

MEMBER in charge of FINANCE DEPARTMENT (the Hon'ble Mr. J. Donald): (*a*) and (*b*) The Lino operators in the Bengal Government Press are employed on piece-work. This Government have no definite information concerning the terms of service of Lino operators in the Government of India Press or the reasons therefor.

Dr. H. W. B. MORENO: Have the Government before them a memorial from the Lino operators complaining against the differential treatment meted out to them?

The Hon'ble Mr. J. DONALD: I have no recollection of having seen any memorial from the Lino operators in respect of differential treatment.

Alleged unsatisfactory arrangement for female passengers on Barisal-Khulna and Barisal-Patuakhali lines.

23. Rai SATYENDRA NATH ROY CHOUDHURI Bahadur: (*a*) Has the attention of the Hon'ble Member in charge of the Marine Department been drawn to the complaints that have been expressed as to the unsatisfactory nature of the accommodation provided in the Second and Intermediate Classes on the Barisal-Khulna line?

(*b*) Is it a fact that there is no separate latrine for the Third Class female passengers?

(*c*) Have similar complaints been received in regard to all higher classes on the Barisal-Patuakhali line?

(*d*) Are the Government considering the desirability of drawing the attention of the Steamer Companies to the matter?

MEMBER in charge of MARINE DEPARTMENT (the Hon'ble Mr. J. Donald): (*a*) No.

(*b*) Government are informed that separate latrines are provided for the use of Third Class female passengers on the Khulna-Barisal Express Service.

(*c*) No.

(*d*) A copy of the question has been forwarded to the Agents.

Pabna riots.

24. Rai SATYENDRA NATH ROY CHOUDHURI Bahadur: Will the Hon'ble Member in charge of the Police Department be pleased to lay on the table a statement showing—

(*i*) the number of houses looted in Pabna with dates;

(*ii*) the estimated total damage;

(*iii*) the number of persons arrested in connection with them;

(*iv*) the number of cases started;

(*v*) the number of female molestation cases;

(*vi*) the number of temple desecration cases;

(*vii*) the number of reliefs done by the Government to the persons looted;

(*viii*) the number of persons actually beaten and injured by the hooligans; and

(*ix*) the number of hooligans actually wounded by police fire?

The Hon'ble Mr. L. BIRLEY: (*i*) A statement is laid on the table.

(*ii*) It has been roughly estimated that properties worth Rs. 1,25,000 were taken away by looters, but no estimate of the total damage has been prepared.

(*iii*) 635.

(*iv*) 62.

(*v*) Nil.

(*vi*) One temple was desecrated.

(*vii*) The question is not understood.

(*viii*) and (*ix*) Government have no information that any of the persons who assaulted others during these disturbances or of the persons who were wounded by the fire of the police were of the hooligan class.

Statement referred to in the reply to clause (i) of unstarred question No. 24, showing the number of houses and shops looted in Pabna.

Date.		Number of houses.	Number of shops.
3rd July 1926	..	2	2
4th July 1926	..	9	8
5th July 1926	..	45	2
6th July 1926	..	45	14
7th July 1926	..	38	3
8th July 1926	..	17	..
Total	..	156	29

GOVERNMENT BUSINESS.

Supplementary Demands for grants for Expenditure for the year 1926-27.

Demands for grants.

5—Land Revenue.

MEMBER in charge of DEPARTMENT of REVENUE [REVENUE] (the Hon'ble Maharaja Kshaunish Chandra Ray Bahadur of Nadia): On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 18,750 be granted for expenditure under the head "5—Land Revenue" (page 7, Supplementary Demands for Grants).

The following motions were called but not moved:—

Rai HARENDRANATH CHAUDHURI, Babu UMES CHANDRA CHATTERJEE, and Mr. D. N. ROY: "That the demand of Rs. 18,750 under the head '5—Land Revenue—Survey and Settlement' for an Aeroplane Survey of the Khas Forests in the Chittagong District (page 7, Supplementary Demands for Grants) be refused."

The original motion was then put and agreed to.

6—Excise.

MEMBER in charge of DEPARTMENT of REVENUE [EXCISE] (the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur): On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 25,289 be granted for expenditure under the head "6—Excise" (page 11, Supplementary Demands for Grants).

SARDAR MAHAFEZUDDIN AHMED: I move that the demand for Rs. 9,750 under the head "6—Excise" included in grant No. 2) for extending the benefits of travelling allowance rules to Excise peons (page 9, Supplementary Demands for Grants) be refused.

I have no grudge against the Excise peons, but I cannot help saying a few words about their travelling allowances. The Government have got various departments under it. But the services under its Excise Department have got double blessings. In no other department its servants are blessed with the benefits of double remuneration. The officers of the Excise Department get decent salaries. Over and above, they get something more in addition to their pay as rewards, after conviction in the Excise cases, which sometimes exceed the amount of their pay. It is, therefore, to their own interest that the peons travel to detect the crimes, having a lien on the conviction under the most demoralising influence in their minds to realise some

amount under the garb of the name "reward". They are paid the actual cost of travelling; so I do not find any reason why they should be thrice blessed for the work of a department which appears to be most unpopular to the public. Besides, no case was made out to grant them travelling allowances so long, and the work did not suffer a bit for it. On the other hand, they have very little work to do, unlike the constable and the Court peons. No such grant should, therefore, be allowed to them.

Mr. D. N. ROY: I move that the demand of Rs. 25,289 under the head "6—Excise" (page 11, Supplementary Demands for Grants) be refused.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: Sir, as regards the demand for Rs. 9,750 for extending the benefits of travelling allowance rules to Excise peons, I would point out that under the reorganisation scheme sanctioned in 1914, the rates of pay of the peons of the Excise and Salt Department were fixed so as to compensate them for the cost of ordinary journeys. Accordingly, they were not entitled to draw any travelling allowances for journeys on tour, except railway or steamer fare and actual expenses for boat-hire. In the revision of 1921, however, time-scales of pay have been sanctioned for them which are almost the same as those fixed for peons of other departments. It is, therefore, proposed to allow the Excise peons to draw the same daily allowances for ordinary journeys on tour within their jurisdiction as are at present drawn by peons of other departments, except when travelling within the limits of the police-station where their headquarters are situated.

Accordingly, I opose the motion.

The demand of Rs. 25,289 is made up of two items, viz.,—

	Rs.
(1) Daily allowance of the peons of the Excise and Salt Department for ordinary journeys on tour.	9,750
(2) Supply of uniforms and kits to the subordinate Excise staff.	15,539

As regards the first, I have dealt with the necessity of the demand in connection with the motion by Sardar Mahafezuddin Ahmed.

As regards the second, it is essential that the Excise petty officers and peons whose duties approximate to those of the police head-constables and constables, respectively, should be clothed adequately for the sake of efficient administration of the department. Owing to financial difficulties in the past, the necessary funds were not available

and the interests of the administration were sacrificed in the interest of economy. Throughout the province constant complaints have been made of the inadequacy of funds under this head, and in many districts kit has been far below any decent standard. It is, therefore, proposed to supply on an adequate scale uniforms and kits to the subordinate Excise staff.

It will thus be seen that the grant is absolutely necessary, and I would, therefore, oppose the motions for refusal.

The motion of Mr. D. N. Roy "That the demand of Rs. 25,289 under the head '6—Excise' (page 11, Supplementary Demands for Grants) be refused," was put and lost.

The motion of Sardar Mahafezuddin Ahmed "That the demand for Rs. 9,750 under the head '6—Excise' (included in Grant No. 2) for extending the benefits of travelling allowance rules to Excise peons (page 9, Supplementary Demands for Grants) be refused," was put and lost.

The original demand was then put and agreed to.

8A—Forest Capital Outlay charged to Revenue and 52A—Forest Outlay not charged to Revenue.

MEMBER in charge of DEPARTMENT of REVENUE [FORESTS] (the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur): On the recommendation of His Excellency the Governor, I move that a sum of Rs. 56,250 be granted for expenditure under the head "Forests" (page 13, Supplementary Demands for Grants).

The following motions were called but not moved:—

Rai HARENDRANATH CHAUDHURI and Mr. D. N. ROY: "That the demand of Rs. 56,250 under the head '8A—Forests' (page 13, Supplementary Demands for Grants) be refused."

The original demand was then put and agreed to.

9—Registration.

MEMBER in charge of REGISTRATION DEPARTMENT (the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur): On the recommendation of His Excellency the Governor, I move that the grant of Rs. 9,200 be made in the Registration Department for the purchase of iron record racks for use in certain district Registration offices (page 15, Supplementary Demands for Grants).

As members are aware, there are many records of the Registration Department that have to be permanently preserved and complete registers are sent every year to the Sadar offices of the districts for safe custody. To keep these in good order it is essential that racks should be constructed. Last year the full number of racks could not be ready in time, so we are asking for provision to construct the remainder this year.

The following motion was not moved:—

Mr. D. N. ROY: "That the demand of Rs. 9,200 under the head '9—Registration' (page 15, Supplementary Demands for Grants) be refused."

The original demand was then put and agreed to.

55—Construction of Irrigation Works (not charged to Revenue).

MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble Maharaja Kshaunish Chandra Ray Bahadur of Nadia): On the recommendation of His Excellency the Governor, I move that a sum of Rs. 25,000 be granted for expenditure under the head "55—Construction of Irrigation Works" (page 17, Supplementary Demands for Grants).

The details have been circulated in a memorandum and the members of the Council know the reason why this motion has been brought forward. I shall deal with the other points that might be raised in the discussion at a later stage.

Dr. PRAMATHANATH BANERJEA: Sir, I move that the demand of Rs. 25,000 under the head "55—Irrigation" (page 17, Supplementary Demand for Grants) be refused.

Sir, I desire at the outset to protest against the manner in which an important question like the Grand Trunk Canal scheme is sought to be disposed of by Government. The present Council will cease to exist in two days' time. Is it fair, I ask, to rush a measure like this through a dying Council? If the Government really intend to ascertain the views of the people, would it not be better to wait till a new Council came into existence. A few months' delay is not likely to make much difference in the situation.

Sir, the demand of the Hon'ble Member in charge of the Irrigation Department looks very modest on the face of it; it is only for a sum of Rs. 25,000. But in reality the demand is for a very large sum, for it commits us to an expenditure of Rs. 2,79,00,000, which I have no

doubt will ultimately be far exceeded. In the memorandum which has been circulated to us, the main reason advanced in favour of the scheme is that the Doa Agra Channel is silting up and that the condition of the Suptermukhi and a few other channels is serious. Admitting that this is so, it does not seem to me to cause much apprehension. In a deltaic area, it always happens that some channels get silted, but others open up in the natural course of things. It never happens to be the case that all channels dry up at one and the same time.

The scheme has been advocated on the ground that experts want it. I have carefully read the lecture which was delivered by Mr. Addams-Williams a few years back, and I must confess that I remain unconvinced as to the utility of the scheme. I have also consulted some other experts who are of opinion that the scheme is not only not necessary, but is likely to prove disastrous to Bengal.

Sir, my view is that there is no necessity for the scheme, but there are, in my opinion, very strong objections to the proposal. My first objection is that it will interfere with the natural drainage of the province. The flow of Bengal rivers is from north to south, but the canal will run from west to east. It will thus interrupt the drainage, and this interruption is bound to prejudicially affect the health of the entire neighbourhood. We all know how unhealthy the greater part of Bengal is at present. It will be a disaster if a new and serious factor is now introduced into the insanitary condition of the province. The interference with the drainage system is also likely to be a source of floods during the rains and thus cause damage to crops.

Sir, another disadvantage of the proposed canal will be that it will impede country-boat traffic. At present the inner route which the canal will traverse is availed of by country-boats. But when steamers will run along the canal, it will be too risky and hazardous for the small boats to ply.

Thirdly, the scheme contemplates the construction of a canal of a length of 22¼ miles, from Baranagore to Malancha. But beyond this, the steamers will have to use the river route. Now, these rivers are, in many places, very shallow and will require constant dredging. It is admitted by Government that the rivers comprising this route are deteriorating. In course of time, therefore, it will be found necessary to canalise the whole length of the route, comprising about 200 miles. When this happens, it will mean an unbearable burden on the finances of the province.

This brings me to the financial aspect of the question. The original estimate of the scheme, as sanctioned by the Secretary of State, amounted to Rs. 309 lakhs, but the present estimate is for Rs. 279 lakhs. This reduction in the estimates appears to have been made

with an object, and that object is to make the scehme more acceptable to the representatives of the people. I have not the slightest doubt in my mind that the cost has been greatly underestimated. We all know that estimates have a habit of mounting up; they always exceed the original figures. I will take the Madaripur Bhil Route as an instance in point. The estimate originally sanctioned was Rs. 38,96,352 but the amount spent up to the end of the year 1923-24 was Rs. 68,39,160. In other words, the ultimate cost has been nearly double the original estimate. It is quite possible that the ultimate expenditure of the Grand Trunk Canal will far exceed the present estimates. If the project is accepted by the Council and the Government, they should be prepared to spend Rs. 5 or Rs. 6 crores. And if, and when, the rivers comprising the outer route silt up, the ultimate cost of the lengthened canal may be Rs. 10, or even Rs. 15, crores. As for the return of 13·6 per cent. on the outlay, expected by Government, I am sorry I am unable to share their optimism. Experts are always enthusiastic about their own pet schemes, but Government should be cautious. They should not allow their enthusiasm to outrun their discretion. Now I wish to put a question to the supporters of the scheme. Is there a single irrigation scheme in any part of India which yields so high a return as 13·6 per cent.? As a matter of fact, none of the irrigation schemes in Bengal has proved productive. The Bhil Route of which we heard so much at the time of its construction has now been found to be unproductive, as it yields a return of 3·29 per cent.

I submit, Sir, that this is a serious matter and should not be lightly dealt with. In any case, the duty of the elected members of this Council is quite clear. There should be no hesitation, no vacillation, on their part, and they should reject this demand.

Rai HARENDRANATH CHAUDHURI: Sir, I rise to support the motion which has been moved by my friend Dr. Pramathanath Banerjea. On more than one occasion in the past we criticised the Grand Trunk Canal Scheme, and all the arguments that were advanced before have been reiterated with much force by Dr. Banerjea. Sir, we maintain, even after all that has been said by the experts, who father the Grand Trunk Canal Scheme, that no case has been made out at all for the scheme. The only argument that has been advanced in support of the scheme is this—that the Doa Agra, the gateway of the Sunderbans Steamer Route, is silting up, that the 50 miles of river route between the Channel Creek and the Matla System is dying up and, therefore, a new channel, a new steamer route, has to be found out. That is the sum and substance of the whole argument underlying the Government policy. But, Sir, the very first question that arises is this: If you mean to solve this difficulty by opening up a new canal between Baranagore and Kulti, a distance of 30 miles, why can you

not undertake a similar scheme, if at all it is necessary, and canalise the existing river route between the Channel Creek and the Matla? That point has not been satisfactorily answered. All the experts have admitted that the rivers eastward of the Matla are very good open rivers, that they are not affected at all by the process of reclamation which is going on in the Sunderbans area, yet they will not answer the question why the western portion of the steamer route between the Channel Creek and the Matla System should not be canalised. Then, coming to the proposed scheme itself, well, even if you undertake and execute the Grand Trunk Canal Scheme, then you will have to depend on other rivers which are as dying as the rivers in the Western Sunderbans and are as full of tidal meeting grounds. You cannot by simply executing the Grand Trunk Canal Scheme, as it stands at the present moment, namely, by canalising 30 or 35 miles from Baranagore to Kulti, avoid the future risk that you are running in depending on the system of rivers lying to the east of Kulti, between Kulti and Passar. Experts may now say that they are very good rivers, but who knows and where is the guarantee that the successors of the present experts will not say: The rivers to the east of Kulti are dying up—what can be done? The whole steamer route between Kulti and Passar will have to be canalised. That will mean an expenditure of crores and crores. How many times three crores no one can say at the present moment. Certainly it will be a much bigger scheme than the present Grand Trunk Canal project. This doubt is not only shared by the members of the Opposition here, but is also shared by even "responsible" publicists. Let me quote from a leader of the *Englishman* published some time in February, 1923, which very forcibly sums up the whole issue:—

Feasible as this may sound, however, there are certain obvious guarantees which must be given before it is decided to construct a canal, and not a railway. The process of siltation is proceeding so rapidly, for example, that even if there are good open rivers available to-day, who is able to say whether the same waterways may not share the fate that is now overtaking the Doa Agra River—2,750 feet wide in 1897, but dwindled down to a mere stream of 200 feet across at the present day and this after repeated dredgings? In capital works of this type, it is necessary to look far ahead into the future. Will the Pussur River and the other "good open rivers" remain immune for another twenty or thirty years and longer, or will they also be strangled by silt deposits? That is a question which the Irrigation Department has to answer satisfactorily. It would not be wisdom to construct a canal otherwise. The canal may be dug and utilized for, say, ten years, when it may be found that the "good open rivers" are showing signs of weakness with sinister sandbanks appearing where the waters now run deep. Then it would be necessary to dig the canal further towards the east and finally in this way the still water channel might have to be cut all the distance to Khulna itself. Were this to happen, would it still be found that the canal had cost only half as much as the duplication of the railway line to Khulna? Clearly, more information is wanted on this point as also upon the consequences of canal embankments stretching directly across the natural slope of the land which is from north to south and cutting off the headwaters of the Matla River—the only outlet of the Bidyadhari River carrying

away the drainage of Calcutta and suburbs. If the Matla River is killed, the Bidyadhari too will speedily cease to exist, and all the evils which have lately menaced a great and growing city will be let loose.

These are the observations not of a non-co-operator nor of a Swarajist, neither of any member on this side of the House, but are the remarks of a "responsible" publicist. These are the observations of a paper which is supposed to be in the confidence of the Government and which in season and out of season is found to support Government policy and measures. After this I hope members on the right will think and pause before they hasten to support the Grand Trunk Canal Project.

Babu AMULYA DHONE ADDY: Sir, I thank the Hon'ble Member-in-charge for having given us the opportunity of expressing our final opinion on the subject. It is not a question as to whether an estimate of Rs. 25,000 should be sanctioned, but it is a question as to whether we should sanction a scheme at a cost of Rs. 2,78,00,000. Sir, if this scheme appears to be necessary, then by all means have the scheme and the sooner it is done, the better. But we find that some of the most important public bodies of Calcutta have expressed their opinion quite against it. The Corporation of Calcutta is of opinion that it is not necessary. Then, Sir, the Bengal National Chamber of Commerce is also of that opinion. It will appear from their letter which was forwarded to the Government that the existing steamer route in the Sunderbans has been surveyed by Captains Bews and Begbie and it is quite clear from their report that they find no fault with the rivers from Subtermukhi to the Biddah. But with a view to obviate the difficulty in the Doa Agra a new channel—known as the Gheaputty Cut—has been opened. If this proves successful, the difficulties encountered in the Doa Agra would be obviated. In case this does not happen and if the Doa Agra shows a persistent tendency of silting up, locks can be placed at its two ends after properly dredging it. In the Subtermukhi the only difficulty is a crossing. This, again, shows the necessity of keeping a navigable channel open. In case the Subtermukhi crossing persists in giving trouble, a channel can easily be maintained by dredging at a small cost. The Sunderbans rivers often change their course, but seldom die out altogether. This opinion they have expressed after making local enquiries and after consultation with experts on this question. It has been alleged that this scheme would be a productive one. But the Bengal National Chamber says that this scheme is hardly likely to prove remunerative. If the steamer companies are sanguine about its success, why should they not be asked to guarantee a subsidy on the outlay? Otherwise, it would be allowing them to compete with railways at the expense of the tax-payers who would have to make good any loss the Government

may incur on this account. Further, it is proposed to have a new inland harbour in Calcutta. We have on the banks of the Hooghly a splendid place of business laboriously built up during the last hundred years. A very large amount of money has been sunk in docks, jetties, railways and godowns. The amount of money that would be required to build a new centre of trade with godown offices, wharves, etc., may be more usefully utilised in other reproductive works which would yield the public a good income. In the existing centre on the river bank we have the buying marts close by and goods can be easily put into carts or on board inland vessels.

Mr. PRESIDENT: Order, order. Is the document available to the members?

Babu AMULYA DHONE ADDY: It must have been circulated some years ago. This document, dated the 25th August, 1923, has been addressed to the Secretary to the Government of Bengal, Public Works Department (Irrigation). I have got this copy from the Secretary of the National Chamber of Commerce. Now it appears that the Bengal National Chamber of Commerce is strongly opposed to this scheme. It has been alleged that some of the rivers in the Sunderbans have already silted up. With reference to this point, I would draw your attention to the note of Mr. Hutingford, the then Secretary in charge of the Irrigation Department of the Government of Bengal. This note is dated the 5th July, 1923. He says these rivers are actually being used at the present time and, with the exception of the piece from Channel Creek to the Habilla River, the Sunderbans Route is likely to remain a perfectly satisfactory route for navigation for the next many years.

[illegible]st you will not deny me the pleasure of drawing your attention to the opinion of another gentleman—Babu Jadu Nath Roy—who is the Managing Agent of the East Bengal River Steam Service. He is a public man and is one who is interested in this scheme. Now let us see what opinion he expressed in the Conference held at Government House in January, 1925, in the very august presence of His Excellency the Governor. Mr. Roy says: "It is not a fact that 50 miles of the Sunderbans Route from Channel Creek to Matla are bad—only a portion of the route from Channel Creek to Habilla, about 7 miles in length, is shallow in places, and the total length requiring dredging will not exceed 2 or 2½ miles. As regards Subtermukhi, I found about 1,000 feet shallow during my inspection of those channels recently".

Now, Sir, on the suggestion of some of the members of my Chamber, I have made a personal inspection of some of these rivers in the Sunderbans in the month of January last, and I am also of that opinion. Sir, it has been alleged that it is impossible to maintain the existing

rivers in the Sunderbans. With regard to that point, I beg to draw your attention to the note of Mr. Addams-Williams, dated the 16th December, 1924. In the year 1912-13, only Rs. 53,505 was spent for the dredging of these rivers, and for four years continuously not a single farthing was spent for this purpose. Then, I ask seriously—who is responsible for the present state of things? It is the Government who is solely responsible for bringing about this state of things. For six years from 1918-24 only Rs. 3,11,000 was spent, and the Doa Agra has been improved very lately. My contention is this: Had the Government taken necessary steps for the proper maintenance of these rivers in the Sunderbans, there would have been no necessity for launching into a costly scheme of about Rs. 3 crores.

Then, Sir, it has been stated that the object of this scheme is to give additional facilities to trade between Calcutta and Eastern Bengal. Well, Sir, as a merchant I shall be very glad to support it. But I am afraid the question at issue seems to me to be quite beside the point. We have got a railway system connecting Calcutta with Eastern Bengal. I asked the Agent of the Eastern Bengal Railway as to whether this scheme seemed to be necessary or whether further extensions were likely to be made between Calcutta and Eastern Bengal. The reply which I have got from him seems to me that material extensions have already been made, *e.g.*, connection of the Dacca district to Santahar by railway extensions and by wagon ferry over the Brahmaputra. This railway is quite prepared to double the lines from Dum-Dum to Khulna and handle any traffic that is likely to go through that does not go now. He further states that they were ready to build a railway from Faridpur to Charmaguria to handle Madaripur traffic, this will also make the provision of the Grand Trunk Canal less necessary than ever. So it appears that a good many extensions have already been made and further extensions are likely to be made. These are the facts I place before the House, and I ask the members in all seriousness whether there is any necessity for incurring such an enormous cost.

As regards the estimate, I am strongly of opinion that it is surely to be exceeded. We have had sad experience of the past. In the case of the Kidderpore bridge, the original estimate was Rs. 8 lakhs, but it came up to Rs. 12 lakhs; in the case of Government buildings at Delhi, the original estimate was Rs. 6 crores and it came up to Rs. 14 crores. Sir, one word more and I have done.

Mr. PRESIDENT: Your time is up, Mr. Addy.

Babu AMULYA DHONE ADDY: Then, Sir, I will draw attention to the revised estimate that has been circulated, from which it will appear that material alterations have been made. With regard to the excavation, the excess is Rs. 7½ lakhs and with regard to railway

alterations there is an excess of Rs. 32,92,000. Even in the revised estimate it is much higher, so far as these estimates are concerned, than the original estimate. It will appear from that note that Rs. 2,79,00,000 is the net estimate and not gross estimate, because it appears from that note that the gross estimate of expenditure to be incurred by Government in connection with this scheme is Rs. 3,81,00,000. I am curious about the preparation of the estimate. The cost of acquisition of land has been omitted altogether from the revised estimate. In the original estimate it is Rs. 53,57,000, but in the revised estimate instead of entering that amount, it has been stated that there will be a profit of Rs. 9,72,000 and, therefore, this sum has been deducted from the estimate. Mr. Addams-Williams appears to be under the impression that all the business in other parts of Calcutta will be removed to the new harbour at Maniktolla; therefore, the market value of lands will go up and thereby Government expects to get a good profit by the disposal of the surplus lands. But circumstances have materially altered now. During the last land boom there was scarcity of land, when the rents of houses went up by leaps and bounds. But at the present moment, owing to depression of trade, several godowns have been lying vacant for months and rents have materially come down. In Chetla alone one-third of the godowns are lying vacant. The scheme is not likely to be a productive one, because the existing freight on rice from Goalundo to Calcutta is 3 annas and 11 pies by the steamer route and 2 annas 4 pies per maund by railway. Notwithstanding the fact that no toll is levied on the steamer the railway by 68 per cent. Therefore, it cannot be a productive one. route, still the rate of freight by steamer is higher than that by railway by 68 per cent. Therefore, it cannot be a productive one.

Mr. PRESIDENT: You must now resume your seat Mr. Addy.

Babu NALINIRANJAN SARKER: I move that the demand of Rs. 25,000 under the head "55—Irrigation" (page 17, Supplementary Demands for Grants) be refused.

My first objection against this motion is that there is not the least necessity for bringing forward this item along with the supplementary budget. There is no urgency or emergency about the measure; neither is it a fact that any fund is necessary for works already begun. So I cannot but characterise this demand for Rs. 25,000 in furtherance of a scheme which will cost about Rs. 3 crores ultimately as most unfair.

I need not go into the previous history of the scheme or that of the several Committees and Conferences which never considered it as a whole, but did so only piecemeal, and whose deductions, therefore, were not logically sound. The last Conference at the Government House in January, 1925, ended in nothing. Most of the aspects of the

scheme were ruled out of discussion, specially the financial one by His Excellency Lord Lytton who presided. Mr. Addams-Williams who, according to Lord Lytton, was probably the greatest living authority upon engineering connected with deltaic rivers and the like of whom it would be impossible to find anywhere in the world, explained that the outer steamer route was doomed and that he had reduced the estimate and found a solution of the only knotty problem concerning the passage of the Bamnstola Khal by the substitution of the cut near Assasuni.

I admit in all humility that my knowledge of the engineering world or its problems is just as much limited as that of any other layman, but I might be pardoned by the greatest authority, the acting Chief Engineer and the Hon'ble Member himself in charge of the Irrigation Department, for asking a few questions which only commonsense suggests.

Firstly, why is it that at a time when the scheme was actually put into operation with all the energy at the command of this very potent department, the work was suddenly stopped by the Maharajadhiraja Bahadur of Burdwan? Was there any doubt in his mind that all the claims of the scheme, then put forward were not as sound as they appeared on paper, or else what were the facts?

Secondly, assuming that the Doa Agra, Subtermukhi and other channels down to the Matla are dying, is the present scheme the only solution, taking into consideration the almost similar condition of the open rivers and khals between Malancha and Khulna? The whole scheme is based on the assumption that in the 13th year after commencement, the project will not only pay its way but pay a dividend as well in all up to 13·2 per cent., but what guarantee is there beyond that of Mr. Addams-Williams' opinion that the open waterways will be productive in the manner they are expected to do? The question, of course, does not arise if, Sir, we can persuade ourselves to believe that we are in the reign of King Canute and we are his courtiers. If not, I would respectfully request the acting Chief Engineer to cast off his official mask for a while and tell the House what he thinks of the probable behaviour of these waterways 13 years hence. Besides, would he kindly compare the conduct of the Attarabanka and Kumar Rivers in connection with the Madaripur Bhil Route with that of these waterways in connection with the Grand Trunk Canal proper? Again, what do the theories of Mr. Addams-Williams himself, as propounded in his official book on the deltaic rivers, prove when applied to the problems of these rivers? Even in respect of the solution found in the Assasuni but is it too much for a layman to inquire what effect it will have on the Boyera Bhil and *vice versa*? I mention only a few engineering problems, Sir, lest I take more time than I may.

Thirdly, can the Hon'ble Member assure the House that the estimate is as sound and as close as it should be and whether it has been examined by any independent authority in every detail, although Mr. Addams-Williams may have revised it several times over and made convenient reductions? If not, is not there a reasonable apprehension that the estimate is not what it should be, in spite of the great ability and honesty of purpose of its father? Is it the experience of the Hon'ble Member that the actual work done by a dredger and the cost of doing such work by it per unit has in any instance been in accordance with the estimate? Cannot sand, clay, dead animal and vegetable matter, or even crabs, and hilsa fish, found in the way of the cutters of the dredgers make a difference in the rates? Assuming it to be so, what provision, in the light of his experience, has the Hon'ble Member made as regards additional cost of dredging? And a dredger in India is a treacherous monster. If further experience of its tremendous treachery is needed, I can only refer the House to the Bombay Back Bay Reclamation Scheme. I maintain that the estimate of expenditure is much under the probable figure, while that of income is abnormally exaggerated. The latter point has been ably made out by the Bengal National Chamber of Commerce, and I need not repeat it here. But one thing is certain: If the actual income falls short of the expected one, then good-bye to the 13·2 per cent. return in the 13th year from commencement and the project being classified as a productive one under the Public Works Department Code, and, unfortunately, number 13 is a significant one.

Fourthly, what is the opinion of the Public Health Department with regard to the scheme? Is the Hon'ble Member satisfied that a solution has been found to avoid all interference with drainage, agriculture and health? I am aware of the parallel drain along the Grand Trunk Canal proper, its intake and outfall, its syphons and locks, but what is beyond these? Neither the Bidyadhari River nor the Hubra Gong will drain away a country so vast and practically uniformly level. What is the acting Chief Engineer's experience, even with the Bhangor Canal and the Magrahat Drainage Embankment? Does he not receive many urgent requests for opening out sluices to preserve crops and lives?

There are various other questions, but I have mentioned only a few. Even these will prove that the scheme is not yet ripe for being put through. At the Government House Conference, Lord Lytton said that a series of Conferences would be called by Government to go into various details. Unfortunately, not a single Conference was called. If it had been, it would not be necessary for me to take the time of the Council to-day by asking these questions that remain unanswered. Probably, they are unanswerable. And without going into details it is impossible to express an opinion on the scheme.

Sir, a few other points, equally important, need considering: The Grand Trunk Canal is for the benefit of the inland steamer companies only. What contribution, if any, do they propose to make either in the shape of capital expenditure or contract for tolls? What has the Eastern Bengal Railway which, at the present moment, in common with all other State Railways has embarked upon a scheme of expansion and greater facility with a view to attract traffic, got to say in this matter? Would their rates and those of the steamer companies saddled with a toll neutralise each other in connection with what the traffic will bear, and would not then the railway draw more traffic than the steamer companies if only on the basis of speed? These are problems which have not been solved and yet the Government is rushing with the scheme.

A navigation canal, Sir, is not an unmixed blessing. The Manchester Ship Canal, which is not a Government concern but a commercial undertaking, with its innumerable facilities, failed to declare a dividend for nearly 20 years. During the next five years it paid a dividend of only 1 to 2½ per cent. During the last five years it has been paying 4 to 5 per cent. It should be mentioned in this connection that the cost of this scheme exceeded the original estimate by 40 per cent. The most modern and newest inland waterway of any length in America, the New York Barge Canal, is a huge failure. It costs much less to transport by rail than by this canal. The Mississippi Canals are not paying, but are maintained more for draining the delta and saving the cotton crops. The Danube Canals are in a similar position. Any cross-canal or navigation channel in the Ganges delta, dissected as it is with north and south or north-west and south-east waterways, even on Mr. Addams-Williams' own river-course theory, is bound to fail, and nobody knows what will happen in, say, 40 years' time, the period which may be assured to be the term of currency of the loan or even in 13 years when the project is advertised to pay 13;2 per cent. return on an inflated estimate of income.

Sir, both Lord Lytton and the Hon'ble Mr. Donald assured the Conference at the Government House in January, 1925, that the scheme was an investment and would pay. Such an assurance, again, reminds me of the Bombay Back Bay Scheme. The Majority Report of the Special Committee of Enquiry appointed last year to investigate the affairs of the Bombay scheme placed the main responsibility of the failure on Sir George Buchanan, the Advisory Engineer, and the Minority Report blamed the Bombay Government, and suggested that Counsel be consulted to fix the liability of Sir George. Sir Chimanlal Setalvad, the then Executive Councillor in charge of the portfolio, said that the reclamation would yield a profit of Rs. 30 to Rs. 50 crores to the city of Bombay. Sir, the assertions of the Bengal Government, its expert and advisors in connection with this scheme appear to me

to be at a par with those of the Bombay Government in respect of the Back Bay Scheme. The only difference is that, while Nemesis has overtaken the Bombay scheme much sooner than was expected, we might have to wait 13 years to realise our fate. And what is at the root of the Bombay failure? I am almost afraid to mention it—it is the dredger! In Bombay we find the same undue haste in its purchase, the same overestimating its working capacity, the same underestimating its cost per unit of work, the same idleness and the same result as in the case of our dredger. And last but not least, do we find in this Government the same attitude of secrecy and reliance on a single person, howsoever high his reputation might be as it was found in the Bombay Government. I beg to warn the House, Sir, that the Grand Trunk Canal as a paying and even as an engineering scheme is bound to fail. It would interfere with sanitation and agricultural prospects of the country and ultimately land the province with a tremendous burden of repayment of an enormous loan with interest. All that we could then expect in return would be a Committee of Enquiry and a possibly nicely bound volume of Report. The authors of the bubble would have vanished by that time beyond reach, their reputation finding a cool grave in the putrid waters of a stagnant canal. I again beg to warn the House and request it to reject this demand for grant.

Babu SURENDRA NATH RAY: I am sorry I have to oppose this expenditure of Rs. 25,000 on the Grand Trunk Canal, not because I am opposed to the project altogether but because the way in which the expenditure is sought to be passed. At the fag end of the life of the Council, we are asked to commit ourselves to an expenditure of a sum of at least Rs. 3 crores or which may go up to Rs. 5 crores, for the estimate of an Engineer is always liable to exceed like the Bill of a Solicitor.

So far back as the year 1901 or 1902 when Mr. Stevenson-Moore was the Collector of the 24-Parganas, the project was, I think, first mooted and the scheme was to have the canal from Garden Reach south-eastwards to join the Tolly's Nullah. Mr. Lees who was subsequently brought as an expert from Burma to advise on the scheme supported that alignment, but for some reason or other it was abandoned and the present alignment is through Baranagore where large tracts of land have already been acquired and many people have been rendered houseless. We should like to know if it is a fact that there are people who think that the scheme is not likely to be financially remunerative, and unless and until we are certain that financially it would be a success, I think Government ought not to come before the Council and commit it to such a large expenditure. We should like to know if it is a fact that so far back as 1913, the project of a Grand

Trunk Canal linking East Bengal and Assam with Calcutta by a short navigable route was submitted to the Government of India in which the capital expenditure was shown to be Rs. 2,80,00,000 and the Government of India, after considering the scheme, pointed out that the capital expenditure would far exceed the estimates and consequently branded the scheme as unproductive. We should like to know if it is a fact that discussion as to the utility of the canal has been going on between the Bengal National Chamber of Commerce and the Government for the last few years and that the former have submitted in their letter to the latter that since the submission of the estimated cost at Rs. 27,36,100, the rates have increased and the work was likely to cost 75 per cent. more than the estimated cost. We should like to have the opinions of Captain Bews and Begbie on the project placed before us. We should like to know if it is a fact that the route has recently been surveyed by them and that they have reported that in a considerable number of the Sunderbans rivers no deterioration has apparently taken place.

We are informed that at a Conference held under the presidency of the Hon'ble the Maharajadhiraja Bahadur of Burdwan it was decided that steps should be taken to keep open the Doa Agra Channel and await the result. We should like to know if the decision has been acted upon. The note of Mr. Huntingford, Secretary to the Government, Irrigation Department, dated the 5th July, 1923, on the Sunderbans Route is one which is deserving of careful consideration. We learn from it that at least 14 of the Sunderbans rivers are actually being used at the present time and that the Sunderbans Route is likely to remain a perfectly satisfactory route for navigation for the next many years; that the Sunderbans Route from Channel Creek to the Matla appeared generally to be in a very healthy state. He, moreover, stated that he understood from the steamer companies' officers during his inspection of the route that they had nothing to complain about and expected the channel to keep open as it now is for many years to come.

This is the present state of things. We cannot off hand give our seal of approval and commit ourselves to an expenditure without knowing further on the subject. We know that the project has been before us for a number of years, but Government have not satisfied the public either as regards the absolute and immediate necessity of the canal or as to what the minimum expenditure would be. It is only day before yesterday that we received a note on the subject, but I need hardly say that we have had no time to carefully consider it and we cannot off hand give our support to the passing of the project.

Mr. D. N. ROY: I move that the demand of Rs. 2,500—

Mr. PRESIDENT: You cannot move, you can support.

Mr. D. N. ROY: I do not wish to spend the time of the Council in speaking on a subject which has already been rather ably dealt with by several of my fellow-members, who have also moved their motions for refusal of the demand. I only wish to ask some questions of the Hon'ble Member, who, I hope, will answer them in his reply.

In the first place, how has the present moment been considered most opportune for launching such a colossal scheme?

Secondly, if the Dea Agra be silting up why not canalise that portion only of the existing steamer route which is in a moribund condition?

Thirdly, what is the guarantee that you will not have to extend the Grand Trunk Canal Project beyond Kulti and that the rivers between Kulti and Pussar will not have to be canalised in future?

Fourthly, why not duplicate the railway line between Calcutta and Khulna and avoid the risk and huge cost of a new steamer route?

Fifthly, how many schemes involving the expenditure of Rs. 1 crore or more have been executed within the original estimate of their cost, *i.e.*, in how many cases have not the original estimates been exceeded?

Sixthly, how is it expected that the Grand Trunk Canal will yield more profit than the Madaripur Bhil Route?

Seventhly, whether it is a fact that between Kulti and Pussar there will be one river route for steamers as well as country-boat traffic?

Babu SARAT CHANDRA BASU: Mr. President, Sir, I feel extremely grateful to the Government for bringing this scheme of the canal system. If the British Government in India has endeared itself to the people, it is on account of the improvements in the condition of their country which have been productive of benefit to the country at large. It is the railways, the canals, the telegraph system and the other means of communication—the roads, the hospitals and other things—which are valuable works of the British Government by which the country has benefited. It has bettered the sanitary condition of the country, facilitated locomotion, brought up the produces of the country to the market and thereby enriched the country and its people, and I do not think anyone would disagree with me that these works of utility have been the sources of considerable benefit to the country. But although there may be no two questions that this canal system and systems like this are productive of good to the country and enrich the country in various ways, two questions arise: first of all, what would be the cost and, secondly, whether the cost that is to be incurred would be commensurate to the necessities of the occasion and whether other things may be laid by for the purpose of making the scheme going. Now, Sir, whether this project will be

successful or not, whether this project is necessitated by the circumstances or not—that is the business of the experts to decide. We lay-people are altogether unable to grasp the question, and it would be a trespass on our part if we want to deal with these matters about which we do not know. But one thing is certain that in a matter which is beyond the conception of ordinary men and which can only be settled by the opinion of experts, we know from our experience and the experience of past ages that nothing is so uncertain as the idea of experts. We know of the familiar saying that the doctors disagree and when a matter depends upon expert opinion, we know that the opinion is always divided and each side of expert opinion always brings forth the greatest reasons to support it and to demolish the arguments of the other side. Now, in this case it is for the experts to say whether it will be useful or not, but we do not know whether the opinion of all the experts in the country has been taken or not; and if their opinion had been taken it would be a case of expert opinion *versus* expert opinion. But we should not dabble in these matters, and we would ask the Government respectfully to take further opinion on the matter and consider whether it would be really productive of good to the country. We know from the literature on the subject of canals that there is a diversity of opinion in the country whether the canals that have been constructed up to now have been things of unalloyed good or productive of evil also in the matter of sanitation. Now, I will not trouble you any further about this expert question, but the other question comes as to cost. It is a well-known thing that estimates are always exceeded by about 100 or 200 per cent., but whatever be the cost, if it is productive of good, we ought to take it in hand, but the other question and the more serious question comes up—whether it is commensurate to the necessities of the occasion or whether it is more urgent than the other useful matters that we have got to do. We have got various things to consider and take in hand. Whenever we require money for some urgent work, we are told at the outset that Government have no funds. One instance I may give you: this year's Administration Report shows that the income from court-fees and stamps have exceeded the land revenue of the country, but the expenditure for the administration of justice remains the same. In this connection I invite your attention to the fact that in one district—the neighbouring district of the 24-Parganas—there has been a report sent by the District Judge, Mr. Edgley, that if he could be given 24 Subordinate Judges then he could hope to cope with the work during the next 18 months, otherwise he would be quite unable to do so. If there is a request to give one more Subordinate Judge to a district, the answer always given is that the funds of the Government would not allow this. There are these pressing necessities and these necessities cannot be met for want of funds. Now, this is only one out of very many, and knowing all

these things it will be necessary to consider whether the present expenditure of Rs. 3 crores should be made, laying by the other pressing demands upon the Government for more useful schemes and schemes that are primarily necessary. Under these circumstances, I would advise the Government to take the matter further into consideration, deliberate upon the question of utility, upon the question of sanitation, upon the question of facilitating the commerce and improving the locomotion of people and goods and whether this is a more acceptable scheme than the railways which are already in existence. Taking these things into consideration, it should be laid before the coming Council and be debated upon. With these words, I support Dr. Banerjea's amendment.

Babu JATINDRA NATH BASU: I oppose the motion for this grant. The Grand Trunk Canal may no doubt be a very useful scheme; all schemes that develop the transport facilities of this province are good and desirable. But the question is whether the present time is the most opportune for adopting a scheme like this. We cannot close our eyes to the fact that the scheme will impose, as has been pointed out, a very heavy financial burden upon the province. The financial condition of this province is still far from satisfactory; our revenue resources are still very meagre; the Meston Award still continues; the provincial contribution has no doubt been remitted, but we have not yet been able to get a share of the really expanding sources of revenue like the income-tax, the jute export tax and similar taxes. We cannot close our eyes to these facts. How can we now impose a very heavy burden upon the province without knowing what our financial position is going to be? I will, therefore, ask the Council to consider carefully as to whether they are going to impose this heavy burden upon the country without at the same time having the means for the discharge of the burden. The present financial condition is no doubt not as unsatisfactory as it was, say four or five years ago, when the scheme was first placed before the Council and the public, but as I have pointed out, the finances have not grown in the way that we should desire the provincial finances to grow. The adoption of this scheme will impose an amount of expenditure which will practically cripple the provincial finances and other works of public utility for a long time. I would, therefore, request the Council to reject this demand.

Maulvi SAYYED SULTAN ALI: I oppose the grant. I am a man of the Khulna district and, consequently, I may speak on the scheme with some authority. It is a fact that some channels are dying out, but surely others will in natural course open, keeping the steamer passage from Calcutta to Eastern Bengal open. The Sunderbans area is close to the sea and all channels cannot die out at once. It has been suggested that the estimated expenditure will be raised by loan,

and it will be paid off together with its interest from the income derived from it. But I object to the scheme, firstly, on the ground that it is our common experience that expenditure always exceeds the estimate made. As the estimated expenditure is a huge one, we should not—we cannot—undertake it without grave risk. The second ground of my objection is that if it becomes a losing concern as it is expected to be, the loan will have to be paid from the provincial revenues which we cannot afford to do, because the nation-building departments have not been receiving that care and attention which they legitimately deserve. We have not yet been able to do anything in the direction of spreading primary education, which has been a crying need of the country for a long time for want of funds. Very little has been hitherto done for sanitation and water-supply for want of which a large number of people are dying every year. In this connection it should also be remembered that we have recently undertaken a large risk in respect of the Bally bridge and the Howrah bridge and, having regard to the financial position of the province, we can ill-afford to undertake any further risk.

Mr. P. N. GUHA: Sir, I am afraid my friend Dr. Pramathanath Banerjea will be somewhat surprised to find that even a nominated member can muster the courage of opposing this grant.

Dr PRAMATHANATH BANERJEA: I apologise to the nominated members.

Mr. P. N. GUHA: Sir, though a nominated member, yet I cannot overlook the fact that I hail from Eastern Bengal, a portion of the province for the welfare of which the Hon'ble Member-in-charge of Irrigation Department is anxious to give us a canal. In this connection a lot of financial statements and other things have been placed before the Council, but I am not going to speak on any one of them. Babu Jatindra Nath Basu, the deputy leader of my party, said that it was on account of the bad financial condition of the province that he was not prepared to undertake the costly project of the Grand Trunk Canal. Sir, I go further and unhesitatingly declare that this measure is not necessary now, and it will not be so at any time in the future. The attitude of the Government is, or at least that is what the Government say, that they are very anxious to maintain the water route traffic between the eastern districts of Bengal and the metropolis. And as the present routes *via* the Sunderbans and other channels are being silted up, the excavation of a canal is a pressing necessity. Sir, may I be permitted to inquire how and why? Any Eastern Bengal man will say that the negligence that the Government have shown in not dredging the rivers and canals covering the present routes is nothing short of criminal, and I fail to understand how on the face of such

negligence towards the existing rivers, they can think of spending the tax-payers' money for opening a new route. I am definitely of opinion that the traffic by waterways between Eastern and Western Bengal will be kept intact if the Government would only do their duty in dredging the existing rivers and canals successfully.

Sir, it is useless to speak on the cost of the scheme. It is already a huge one, and it is a well-known fact that the estimates are always kept low to get a proposal accepted. I am sure that the scheme will cost much more than the estimated sum of about Rs. 3 crores. I will only mention the case of the Back Bay Scheme in Bombay with regard to the receipt side. The world knows with what a great flush this scheme was ushered into existence and what a scandalous failure it has proved to be now. The Government are under the delusion that they will get a lot of money, not only by levying tolls, but by selling the surplus lands on the banks of the canal. In this connection let me refer the Hon'ble Member to the experience of the Calcutta Improvement Trust. It has not been able to sell lands at any reasonable price even in the Central Avenue area, as the result of which all further progress in the work of the Trust is practically at a standstill now. Sir, it was on this plea a few years back that the Madaripur Bhil Route was opened at an enormous expenditure. I do not know if this route has proved a blessing to anyone, but I know that it has proved to be a veritable white elephant to the tax-payers of Bengal. I am almost sure that the Grand Trunk Canal if allowed to be excavated will prove to be so as well. The desire of the Government to open a new canal instead of keeping the present routes navigable by dredging the dying rivers periodically can be compared with what is known in Bengal as খুড়ার গঙ্গা যাত্রা (taking the dying uncle on the bank of the Ganges). No anxiety about the dying parents, but busy in performing the last rites for the uncle! This is what should be strongly deprecated. Sir, it does not matter whether I am here either by election or by nomination, but I am here and I am a man of Bengal. I hold that the Grand Trunk Canal will do no good to my province and the money proposed to be spent in excavating it will be wasted. I, therefore, very strongly oppose this demand, and trust that every other non-official member of this House will do so.

Mr. A. C. BANERJEE: I do not wish to take up the time of the House this time more than I can possibly help, having regard to the fact that a good deal of what ought to have been said has been said in opposition to this demand. The arguments which have been put forward by Mr. Donald in his note are far from convincing.

Dr. PRAMATHANATH BANERJEA: The arguments were put forward by the Hon'ble Maharaja.

Mr. A. C. BANERJEE: I said " in his note ". I refer to his note, not to his arguments. I was not present when the Maharaja Bahadur brought forward this proposition before the House, so I do not know the arguments he put forward here, but I can imagine that they were the stale stereotyped arguments " it is necessary," " it must be necessary," " you must accept it because the Government want it." The point of view from which I look at this question is this—that your object in introducing this demand which involves in the long run an expenditure of close upon Rs. 3 crores is that you want to give facilities to the people of Bengal for trade. I would ask the Government to consider whether it is not more incumbent upon them to give facilities to the people of Bengal to live. Do you give them medicine, and medical relief, which is so sadly wanted all over the country? Have you done so? No. What have you done in the matter of water-supply? You make very small niggardly contributions to the districts and even then you ask the Commissioners of Divisions that they should insist upon the District Boards and the local authorities to make their contributions first before they give their own contribution on behalf of Government. So you have failed also in giving water-supply which is a primary necessity to our people.

Then with regard to education, you have neglected it disgracefully. In view of these facts, why is it that this demand has been brought forward involving a large expenditure with a view to open out a canal? As regards the usefulness of this canal, it is doubtful; it is controversial. The opinions which have been cited by my friend, Babu Amulya Dhone Addy,—they are the opinions of men who are in a position to know as to whether the rivers are dying or not and whether it is necessary to have this canal or not, and they are not the opinions of Indians merely but of Europeans as well,—having regard to these opinions and having regard to the fact that you have done nothing to keep alive the dying rivers, I do not think it is proper for you to come up with a demand so big as this.

There is another aspect of the question which has not been dealt with and to which I should like to refer incidentally, that is, the sanitary aspect. Who is there who can guarantee that the sanitation of the area through which this canal is proposed to be run will not be prejudicially affected? I have read a considerable amount of literature issued by Dr. Bentley, and there we are told that projects such as this—which may be a fad with Mr. Addams-Williams—are likely to prejudicially affect, as they have in some cases actually affected, the sanitation of the area in which they are sought to be carried out. Now we should make sure as regards the sanitary aspects of the scheme and see what results, if this canal is executed, so far as the sanitary condition is concerned, are likely to happen. Then, again, there is another aspect; it is this—if you dig a canal 21 miles long with a river at two ends and

if either of the two rivers dies out, what will happen to it? In the case of the Hooghly, as we all know, it is a dying river and is kept alive by constant dredging. At the other end of the canal you might find a similar difficulty, so that it might happen that this canal would be left high and dry after a number of years with two dead rivers at two ends. Sir, all these questions should have been worked out, threshed out, and discussed, before bringing up this measure, and the present Council given an opportunity to consider it carefully. At the fag end of the life of this Council, when most of the members—I mean, a great many of the members here—are thinking more about the election than legislation, it is not fair that this question should be brought up. I am glad to find that Mr. Guha has opposed this motion. His expiation comes very properly when his career, as a nominated member, is about to expire. It comes as it usually does with his dying gasps. But all the same he ought to be congratulated on his endeavour, however belated, to stand by his countrymen.

[The Council was then adjourned for prayer for 10 minutes.]

[After the adjournment.]

Mr. J. Y. PHILIP: Mr. President, Sir, on behalf of the European members, I also support the motion for refusal now before the House. I do so not because we object to the scheme *per se*, but because we strongly object to the method in which Government seeks to foist it on this House. An assurance was given that the Grand Trunk Canal Scheme would not be introduced before the opinions of the Chambers of Commerce and other public bodies had been obtained, and time given for mature consideration. It is on these grounds, Sir, and on these grounds alone, that we support the motion for refusal.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia: Sir, I have listened very carefully to the interesting discussion on the several aspects of the problem of the Grand Trunk Canal. I need not repeat here the history of this project or the facts mentioned in the memorandum already circulated to the hon'ble members, but I am sure that had it been given some attention much of what has been said in denunciation of the project, specially the estimates, would have been avoided. I am disappointed to see, Sir, that practically nobody has supported this scheme which Government has put forward before this Council, but I am equally disappointed to find that no new arguments have yet been advanced, and to use the words of Mr. Banerjee, the same stereotyped objections have been taken by various members in this Council. Small mercies, as the testimonial given by Mr. Bose in the preface of his speech, are greatly appreciated by this much maligned

Government in these days, and I am thankful to him for the appreciation of the work that Government have done in the past and are doing at present.

The objections, I use the term in its widest sense, *minus* extraneous subjects, may be classified as follows:—

(*i*) Engineering defects, comprising want of consideration of the probable future condition of the open channels and cuts, and want of drainage facilities causing interference with agricultural and sanitary conditions.

(*ii*) Financial defect, arising out of a supposed underestimate of expenditure and overestimate of income, rendering the project unproductive.

(*iii*) Defect relating to the support or otherwise of steamer companies and the interested railways.

I was not a little amused to find that even crabs and hilsa fish have not been excluded from the arguments put forward by the hon'ble members. Besides the above, a question has been asked as to why this work was stopped by the Maharajadhiraja Bahadur of Burdwan in 1921.

I propose to deal with these objections and questions, asked and involved, in groups, for facility of explanation. I deal with the last question first.

In 1921 March session of the Council, a demand was made by the Irrigation Department in the budget for the purchase of dredgers. Some hon'ble members of Council questioned the correctness of the estimates of the project, and the Maharajadhiraja Bahadur of Burdwan made it abundantly clear that Government were cognisant of the abnormal fluctuation of the exchange rate and, taking this and other factors in view, were getting the estimates revised, and until such revision was complete in detail, Government decided that no actual work would be proceeded with. He also assured the House, I quote his words, that the "Council will have ample opportunities to consider the matter later." And, in fact, the present demand is made with the sole object of affording such an opportunity to the Council. We have been asked why this question has been brought before this Council when it is almost on its death-bed. My simple answer to this is that for some time past we have had a resolution tabled for discussion in the Council by Babu Amulya Dhone Addy, but unfortunately it did not come up before this Council, and so Government thought that before the expiry of its life this Council should have an opportunity of discussing and giving its vote to this project, and that is the reason why this token demand has been placed before this Council at the fag end of its existence.

I am glad to inform the House that soon after the above statement of the Maharajadhiraja Bahadur of Burdwan was made, Mr. Addams-Williams was specially deputed to revise the estimates so as to ensure that these would be reliable, in view of the fluctuation of exchange rate, etc. He took great pains over the matter and went into great details, as a result of which he was able to reduce the estimates by about Rs. 30 lakhs, *i.e.*, from Rs. 309 lakhs to Rs. 279 lakhs.

On the engineering side I should mention that the Assasuni Cut was not the only knotty problem. This, with the Bhudder River and several other channels, received Mr. Addams-Williams' very careful attention, and as a result of his scrutiny he found a satisfactory solution in each case. Mr. Addams-Williams had left a note before he went on leave, and I may be permitted to read extracts from that. He says:

> There has been considerable difficulty in getting certain people to understand that there is no idea of using the Banstola Khal as part of the Grand Trunk Route. It is quite true that this channel was included in Mr. Lee's scheme and was considered as a weakness. But since then we have made very careful enquiries, and we find that if the canal is extended parallel with cut No. 1 and by a new cut north of the Assasuni Khal to join the Sovan Ali somewhat further to the north, both these channels will be self-maintaing, and we shall have a large volume of water behind us to enable us to keep them alive.

This part has been discussed by Rai Harendranath Chaudhuri and Mr. Addy. These gentlemen were present at the Conference which His Excellency the Governor held at Government House on the 27th January, 1925, and they raised these very points which they have now reiterated here to-day. Sir, Mr. Addams-Williams met their arguments at that time, and I need not repeat them.

I now come to the problem of drainage. Mr. Addams-Williams in his note had anticipated that this question would be raised again, as in the past, and said:—

> A good deal has been said on the question of drainage, and it has been contended that the canal will intercept cross-country flow. As a matter of fact the whole question has been gone into very thoroughly indeed, in consultation with the Public Health Department. Conditions in the area through which the canal will pass could not possibly be worse than they are at the present moment. A great deal of the land is water-logged, due to the silting up of the Bidyadhari, and although the project provides for draining a good deal of the water into the Bidyadhari, yet it would cost less to divert it to Kulti. My reason for basing the scheme of drainage on the Bidyadhari was because I considered it would be incorrect to divert any water that could possibly be discharged into this river, but my opinion is that the Bidyadhari cannot be kept alive for more than a few years, and I think it would not be correct to base the drainage scheme on the assumption that this river is likely to last for a considerable time. It would cost only about Rs. 1½ lakhs to give the canal bed a slope towards Kulti sufficient to carry off any water which would be drained into it. The total amount placed in the project under "Drainage" is about Rs. 16½ lakhs and much of this would be saved if we were to decide to base our scheme on the supposition that the Bidyadhari will be of no use to us. I think

it is probable that if we decide to drain into the Kulti Gong we should save about Rs. 10 lakhs. The project includes a large new sluice at Kulti, both for drainage and for feeding. As a matter of fact, the canal is so designed that it will be possible to lower the level of the water in the canal by about 2 feet without interfering with navigation, and this would be ample to drain the country dry. On the other hand, if there was insufficient water for the crops along the margin of the canal, this deficiency can easily be made good by feeding in from the Hooghly for which works have been designed in considerable detail. This question of drainage, therefore, need give no trouble at all. The whole case, as I have said, has been gone into with great thoroughness, and whether we base the scheme on the Bidyadhari or on the Kulti Gong the money is there in the project, but the latter scheme would be far the cheapest and, I think, most effective.

Then we had a special Conference with the Public Health Engineer, and he agreed that the contrivances which have been made by Mr. Addams-Williams were sufficient for the sanitation of the area.

The above lines dispose of the contention that the canal proper would interfere with the drainage of the area and, consequently, with health and agriculture.

I now turn to the question of finance. I have already mentioned that the estimates have been specially scrutinised and a reduction effected. None can guarantee an estimate. Such a guarantee would make it an "actual." An estimate is but a forecast. But it should be reasonable, and what else can an expert put forward but a reasonable forecast? Besides, the scheme and estimates were examined by the Inspector-General of Irrigation with the Government of India and the Government of India themselves; additions and alterations were suggested by them, which were incorporated, and all this was done even before the sanction of the Secretary of State was accorded. There was no question of obtaining an opinion of any outside authority then, and Government did not consider it necessary. And, as such, the question of the project being unproductive does not occur.

Mention has been made of several similar undertakings, but all I can say is that Mr. Addams-Williams is of opinion that conditions being different they do not admit of comparison.

Regarding the correctness or closeness of the estimates I should like to add only this. It is the intention of Government to call for tenders for the works relating to the Grand Trunk Canal Route, including the canal proper, works, drains, harbours, etc., in fact, everything comprised in the project, and the tenders received will themselves be ample proof of the adequacy or otherwise of the estimates; and if they vary much from our estimates Government would then reconsider the whole thing, and the matter will again be brought before the Council, should the Government decide to proceed with the scheme.

I must also mention that the steamer companies have neither made any offer of contribution towards capital expenditure, nor of entering

into any agreement for toll. Mr. Addams-Williams is of opinion that the time saved by the steamer companies in making the voyages by the shorter route, thereby increasing their frequency, will be an adequate set-off against any toll they would be called upon to pay.

I do not intend to take up any further time of the House, Sir, and the points relating to the utility and adequacy of the canal have been clearly explained at Lectures and Conferences and by memoranda on many occasions before.

Sir, I think I have dealt with all the points raised in discussion to-day and I would, therefore, oppose the amendments proposed by members of the House.

The motion of Dr. Pramathanath Banerjea was then put and agreed to.

26—Police.

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. L. BIRLEY): On the recommendation of His Excellency the Governor, I move that a sum of Rs. 2,50,000 be granted for expenditure under the head "26—Police."

A memorandum has been circulated from which it will appear that this grant is needed to meet charges in connection with the riots in Calcutta. The particulars are given in the memorandum. It will be seen that the total expenditure for all these measures during the current year is estimated at Rs. 2,83,000. Therefore, the grant asked for has been fixed on the assumption that Rs. 33,000 can be met by reappropriation. Of the non-recurring expenditure the most important item is Rs. 52,480 on account of 100 British soldiers and 6 officers employed on civil police duties in Calcutta for three months and of 50 of these soldiers who are being retained for a further period of four months. For the services of these soldiers Calcutta has cause for deep gratitude. They have performed their arduous duties with great tact and ability, and I can say with confidence that their services have been very highly appreciated.

Rupees 13,000 of the non-recurring expenditure represents travelling and other allowances of the Eastern Frontier Rifles who have also rendered valuable services to Calcutta during the riots.

The expenditure on account of lorry and taxi hire in Calcutta amounts to Rs. 46,000.

The heads under which it has been necessary to incur non-recurring expenditure indicate the needs which it is necessary to supply in the future.

In the first place, it has been found indispensably necessary to increase the number of European sergeants in Calcutta, and provision is being made of Rs. 63,930 for the current year for the pay of six additional European Inspectors and 50 additional Sergeants as a permanent increase to the Calcutta Police Force. Incidentally, this is expected to result in a great improvement in traffic control in Calcutta. Forty-five of the existing staff of sergeants were intended for traffic control, but their services have been so urgently required for other duties that hardly any of them have been available for traffic duty. They will now be available for traffic duty in normal times, and in emergencies they will constitute an invaluable reserve which can be withdrawn for whatever purpose it is required, as the traffic constables were during the recent riots.

Rupees 10,600 have been provided for the cost of 4 Ford lorries recently purchased to save expenditure on hired lorries. These lorries will add greatly to the mobility of the force.

The bill is a large one but the expenditure is unavoidable, and it is not unlikely that a further grant will be necessary before the close of the year, because full information is not yet available about the expenditure incurred, *e.g.*, in Pabna, in connection with the hire of motor transport. As far as possible, such expenditure will be met by reappropriation.

But this sum, of course, represents a very small portion of the loss which has resulted from the succession of riots from which this city has suffered. Apart from the loss to trade and the actual damage done during the riots, there has been an enormous loss in wages to those who have been thrown out of employment for lengthy periods, in very many cases through no fault of their own.

Babu SURENDRA NATH RAY: May I ask what would be the total amount in recurring expenditure and also in non-recurring expenditure out of Rs. 2,50,000?

The Hon'ble Mr. L. BIRLEY: Please see page 19 of the Supplementary Demands.

The following motions were not moved:—

Babu UMES CHANDRA CHATTERJEE and Mr. D. N. ROY: "That the demand for Rs. 2,50,000 under the head '26—Police' (page 19, Supplementary Demands for Grants) be refused."

Rai SATYENDRA NATH ROY CHOUDHURI Bahadur: "That the demand for Rs. 2,50,000 under the head '26—Police' (Grant No. 14) (page 19, Supplementary Demands for Grants) be reduced by Re. 1."

The original motion was then put and agreed to.

27—Ports and Pilotage.

MEMBER in charge of MARINE DEPARTMENT (the Hon'ble Mr. J. DONALD): On the recommendation of His Excellency the Governor, I move that a sum of Rs. 50,000 be granted for expenditure under the head "27—Port and Pilotage".

Sir, this is explained on page 21 of the Supplementary Demands.

The following motions were not moved:—

Babu NALINIRANJAN SARKER and Mr. D. N. ROY: "That the demand of Rs. 50,000 (Grant No. 15) under the head '27—Ports and Pilotage' (page 21, Supplementary Demands for Grants) be refused."

The original motion was then put and agreed to.

31—Education.

MEMBER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. J. Donald): On the recommendation of His Excellency the Governor, I move that a sum of Rs. 2,15,000 be granted for expenditure under the head "31-Education."

This is explained at page 25 of the Supplementary Demands.

Sardar MAHAFEZUDDIN AHMED: I move that the demand of Rs. 1,95,000 under the head "31—Education (Reserved A)—University" (included in Grant No. 17) be refused.

Sir, any amount spent on education is spent nobly. It is still more laudable when it is associated with the name of that great genius, the late Sir Asutosh Mukherji.

When I rise to refuse this demand, I do it for the fact that we have got some more demands of vital importance which are keenly felt throughout the length and breadth of the whole province.

It may sound jarring in the ears of some gentlemen if I state the bare fact that we have already got a very large number of palatial buildings in Calcutta for the spread of higher education amongst the most fortunate sections of our people. It is true that the grant under "Education" is too small to meet the requirements of this province. It is equally true, at the same time, that a greater portion of it is spent for the spread of education amongst the privileged classes who can afford to pay for a costly living in Calcutta. When we cry for free primary education amongst the unfortunate masses who form the overwhelming majority of the total population, Government states that the scheme cannot be taken up for want of funds. But it can afford to pay lakhs of rupees for the erection of gorgeous buildings in a place where there is little opportunity for the poor backward classes to send

in their wards. This is what is called carrying coal to Newcastle. I come from a village. I come daily in contact with the simple villagers. I know their conditions. I feel their requirements. They are the rate-payers; they are the labourers; they are primarily the producers of the national wealth. In short, they are the backbone of our society. They have the legitimate claims on the public revenues. Ignoring the great need of the masses for primary education, it would be sheer injustice to spend about Rs. 2 lakhs more after these buildings. It will, no doubt, enable the fortunate few to send in their children for higher education, but what about the ignorant masses?

On the other hand, the Calcutta University has now become notorious as being a distinctly anti-Moslem institution. Representing as I do a Muhammadan constituency, I cannot but record my vote as a protest against the manner in which the University has been neglecting the Moslem interests.

Under these circumstances, I urge the Council to vote for the total refusal of the grant.

Babu AMULYA DHONE ADDY: I am really astonished to find that even this grant of Rs. 1,95,000 for the completion of the Sir Asutosh Building in Calcutta has been opposed. The mover of the amendment is a new member of this Council. He appears to be ignorant of the requirements of the Calcutta University. I sympathise with him that there should be more budget grants for the encouragement of primary education, and I also agree with him that the education of Muhammadan boys should be encouraged; but at the same time I am really astonished that he has thought fit to oppose this grant of Rs. 1,95,000 for the completion of a building for the development of higher education in Calcutta. It is a question in which not only Calcutta but the whole of Bengal is interested.

The Hon'ble Mr. J. DONALD: As Mr. Addy has said, the hon'ble member who has moved this amendment is new to this Council; and I am afraid he is not fully acquainted with the difference between recurring and non-recurring expenditure. While I sympathise with him in the requirements he mentions, I may tell him that these are matters of a recurring character, *i.e.*, involving regular annual expenditure. In this particular instance, the sum is required for finishing the Asutosh Building, and we propose to meet the expenditure by a single payment out of our balances. This will not in any way interfere with any of the ordinary educational demands. The general questions he has raised are more fit for the budget debate than for discussion on a motion for a specific supplementary demand. I must, therefore, oppose this motion.

The motion of Sardar Mahafezuddin Ahmed was then put and lost.

The following motion was not moved:—

Mr. D. N. ROY: "That the demand of Rs. 10,000 under the head '31—Education (Reserved 'A)' for expenditure for equipment and furniture for the hostel erected by the English Presbyterian Mission at Rajshahi for College Students (page 25, Supplementary Demands for Grants) be refused."

The original motion of the Hon'ble Mr. J. Donald, that a sum of Rs. 2,15,000 be granted for expenditure under the head "31—Education" (page 25, Supplementary Demands for Grants) was then put and agreed to.

34—Agriculture.

MEMBER in charge of DEPARTMENT of AGRICULTURE and INDUSTRIES (the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur): On the recommendation of His Excellency the Governor, I move that a sum of Rs. 58,051 be granted for expenditure under the head "34—Agriculture" (page 33, Supplementary Demands for Grants).

The following motions were not moved:—

Rai HARENDRANATH CHAUDHURI: "That the demand of Rs. 10,245 under the head '34—Agriculture—Co-operative Credit, Establishment for Assistant Registrars of Co-operative Societies, Burdwan and Chittagong Divisions' (page 33, Supplementary Demands for Grants) be reduced by Rs. 4,600."

Mr. D. N. ROY: "That the demand of Rs. 58,051 under the head '34—Agriculture' (page 33, Supplementary Demands for Grants) be refused."

The original motion was then put and agreed to.

35—Industries.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: On the recommendation of His Excellency the Governor, I move that a sum of Rs. 54,360 be granted for expenditure under the head "35—Industries" (page 43, Supplementary Demands for Grants).

The following motions were not moved:—

Mr. D. N. ROY: "That the demand of Rs. 25,000 under the head '35—Industries (Reserved A)—Industrial, Education—Grants-in-aid for Building, Furniture and Equipment Grant (page 35, Supplementary Demands for Grants) be refused."

Mr. D. N. ROY: "That the demand of Rs. 3,037 under the head '35—Industries (Reserved A—Industrial Education—Grants-in-aid—Maintenance Grants' (page 37, Supplementary Demands for Grants) be refused."

The original motion was then put and agreed to.

41—Civil Works.

The Hon'ble Mr. J. DONALD: On the recommendation of His Excellency the Governor, I move that a sum of Rs. 12,99,300 be granted for expenditure under the head "41—Civil Works" (page 53, Supplementary Demands for Grants).

This amount comprises items of expenditure which are to be found in page 53 of the book.

Babu SURENDRA NATH RAY: I move that the demand of Rs. 8,000 under the head "41—Civil Works" on account of the quarters of the Subdivisional Officer, Madaripur (included in Grant No. 23) (page 44, Supplementary Demands for Grants), be reduced by Rs. 3,267.

It appears that the total estimate is Rs. 34,000, including the cost of the land. I think that the Subdivisional Officer of Madaripur will either be a Joint Magistrate or a Deputy Magistrate drawing a salary of Rs. 500 or Rs. 600 and not more than Rs. 1,000. I believe that under the regulations Government is entitled to deduct 10 per cent. from his salary for providing him with accommodation. If the total cost amounts to Rs. 34,000, I think Government will be entitled to deduct Rs. 340 per month from his salary——

The Hon'ble Mr. J. DONALD: No. A Subdivisional Officer gets a house free.

Babu BURENDRA NATH RAY: Still I think the cost, viz., Rs. 34,000, is too much—especially in these days when the price of steel and cement have gone down, you can have a decent house built at a cost not exceeding Rs. 20,000. Certainly, we do not require a house like that of the Chief Justice. I do not think, therefore, that so much as Rs. 34,000 would be necessary for building a residence for the Subdivisional Officer of Madaripur. I propose that the amount be reduced.

Babu AMULYA DHONE ADDY: I move that the demand of Rs. 10,000 for the construction of a new Council Chamber for the Bengal Legislative Council at Calcutta under the head "41—Civil Works" (included in Grant No. 23) be refused.

Sir, it will appear from the budget that the total estimate for the construction of the new Council Chamber is Rs. 24,28,000. So practically we have been called upon to commit ourselves to a scheme which will cost more than Rs. 24,00,000. Therefore, the question is not as to whether the estimate of Rs. 10,000 should be sanctioned but as to whether we should have a new Council Chamber, and if so, at what cost. Personally I am of opinion that the existing Council Chamber is not an ideal one, and I am in favour of a palatial building which may be used as a Chamber for legislative business. But I stand here not to serve myself but to serve my constituents. I stand here to curtail the extravagant expenditure of the Government. We all know that for want of funds we have not as yet been able to make primary education free and compulsory. We all know that for want of funds we have not been able to give adequate supply of drinking water in the mufassal and thus reduce the rate of mortality. May I ask what steps have been taken in these directions during the last six years? Practically nothing. From time to time this Council resolved to encourage commercial education. Notwithstanding the fact that several resolutions were passed by this Council, practically no step has been taken by Government on the alleged ground of want of funds. Now, Sir, Government have come forward with a proposal to erect a building at a cost of Rs. 24,00,000. I will draw your attention to the present condition of Bengal and the financial condition thereof by referring to a speech of the supreme head of the executive of the province. His Excellency the Governor himself stated in a Conference held in the Government House in the month of January, 1925—"We are in great need of money for a great many works of public utility." Here is a great demand of money for expenditure in all directions, and I am very glad to find His Excellency having stated—"I sympathise entirely with those who say 'we want money for rural water-supply, for public health and education of the masses, all of which starve'. There are others more necessary." That is the clear opinion of His Excellency the Governor and that is the opinion of the masses and the educated classes of the whole of Bengal. Then I will draw attention to the state of the finance. It will appear from the summary of the financial position of the Government of Bengal that there is a deficit of Rs. 33 lakhs in the budget of the current year. There is, however, no proposal for increasing the tax, because there is a heavy amount of opening balance. The opening balance of the current year was Rs. 2,26,00,000, and the closing balance is estimated at Rs. 1,93,00,000. It has to be borne in mind that the Government of India have been pleased to relieve us from the contribution of Rs. 63 lakhs for three years only. What will happen after that? The closing balance will be used up, and we shall be under the painful necessity of increasing our taxes. We have already passed three

taxation Bills. We have already increased the registration, court, and stamp fees. Under these circumstances, it is not advisable to incur an expenditure of Rs. 24 lakhs simply for the comfort of the members of this House.

The Hon'ble Mr. J. DONALD: Sir, as regards Babu Surendra Nath Ray's amendment, it seems that he would not give the Subdivisional Officer a house at all.

Babu SURENDRA NATH RAY: Sir, I beg to withdraw my amendment regarding the Subdivisional Officer's quarters.

The motion was then, by leave of the Council, withdrawn.

The Hon'ble Mr. J. DONALD: As regards the new Council Chamber, without, in one way, adding to the present expenditure on "Civil Works," the amount will be spent without necessarily adding to the recurring expenditure from the general revenues of the Government of Bengal. We propose to meet the expenditure for building the Council Chamber by means of a loan, and for some time at any rate the normal Public Works expenditure on new works can be reduced by the equivalent amount required to meet the charges on account of the loan. I need hardly impress on the Council the necessity of a new Council Chamber. One can recognise this, especially on an afternoon like this. Everyone who sits here this afternoon will agree with me that this is not a place where the public business of Bengal can be conducted in any comfort whatsoever and it is highly desirable that we should have a better Chamber to conduct the business of this Council. From all points of view a new Chamber is exceedingly desirable.

Babu Amulya Dhone Addy's motion was then put and lost.

The following motions were not moved:—

Babu NALINIRANJAN SARKER: "That the demand of Rs. 10,000 for constructing a new Council Chamber of the Bengal Legislative Council included in Grant No. 23 under the head '41—Civil Works' (page 47, Supplementary Demands for Grants) be reduced by Re. 1."

Mr. D. N. ROY: "That the demand of Rs. 12,99,300 under the head '41—Civil Works' (page 53, Supplementary Demands for Grants) be refused."

The original motion was then put and agreed to.

60R.—Payment of Commuted Value of Pensions (not charged to Revenue).

The Hon'ble Mr. J. DONALD: I move, on the recommendation of His Excellency the Governor, that a sum of Rs. 8,00,000 be granted

for expenditure under the head "60B—Payment of Commuted Value of Pensions". A large number of applications are pending and more applications for commutation of pensions are comming in. We cannot meet these unless we have this money.

The following motions were not moved:—

Rai HARENDRANATH CHAUDHURI and Mr. D. N. ROY: "That the demand of Rs. 8,00,000 under the head '60B—Payment of Commuted Value of Pensions—not charged to Revenue—Commuted value of pensions to retired officers' (page 55, Supplementary Demands for Grants) be refused."

The original motion was then put and agreed to.

47—Miscellaneous.

The Hon'ble Mr. J. DONALD: I move, on the recommendation of His Excellency the Governor, that a sum of Re. 1 be granted for expenditure under the head "47—Miscellaneous". This is a new service for which no provision was made in the budget, and so the vote of the Council is required. This is meant to help the Corporation in meeting the cost of the upkeep of the Calcutta time gun.

The motion was put and agreed to.

Expenditure in England.

The Hon'ble Mr. J. DONALD: I move, on the recommendation of His Excellency the Governor, that a sum of Rs. 5,733 be granted for expenditure under the head "Expenditure in England". This is required to meet the cost of two new technical scholarships in England.

The motion was put and agreed to.

Loans and Advances.

The Hon'ble Mr. J. DONALD: I move, on the recommendation of His Excellency the Governor, that a sum of Rs. 3,45,000 be granted for expenditure under the head "Loans and Advances".

The following motion was not moved:—

Mr. D. N. ROY: "That the demand of Rs. 45,000 under the head "Loans and Advances, Class IV—Loans" for the construction of an iron bridge over the Dwarka at Rangram in the Kandi subdivision of the Murshidabad district (page 63, Supplementary Demands for Grants) be refused."

The original motion was then put and agreed to.

Adjournment.

The Council was then adjourned till 3 P.M. on Wednesday, the 18th August, 1926, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Wednesday, the 18th August, 1926, at 3 P.M.

Present:

The Hon'ble the President (KUMAR SHIB SHEKHARESWAR RAY) in the Chair, the four Hon'ble Members of the Executive Council, and 109 nominated and elected members.

Starred Questions

(to which oral answers were given).

Facilities to Muhammadan students in the Presidency College.

*5. **Maulvi ZANNOOR AHMED:** (*a*) Is the Hon'ble Member in charge of the Department of Education aware that the Presidency College authorities have recently increased the college fees?

(*b*) Have the Government made any provision for poor but deserving Muhammadan students in the Presidency College?

(*c*) How many stipends are reserved for the Muhammadan M.Sc. students?

(*d*) Are the Government considering the desirability of increasing the number of stipends for the encouragement of higher education amongst the Muhammadans?

MEMBER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. J. Donald): (*a*) and (*b*) Yes.

(*c*) Ten.

(*d*) Not at the Presidency College.

Teachers of primary schools and "maktabs."

*6. **Maulvi EKRAMUL HUQ:** (*a*) Will the Hon'ble Member in charge of the Department of Education be pleased to state whether it is a fact that teachers of primary schools and *maktabs* are making demands for higher pay?

(*b*) Have they complained that their present remunerations are comparatively speaking low?

(*c*) Are the Government considering the desirability of bettering the conditions of these teachers?

The Hon'ble Mr. J. DONALD: (*a*) and (*b*) Yes.

(*c*) Yes, Rs. 2,00,000 has been provided in the budget of this year for this purpose.

Maulvi EKRAMUL HUQ: Is it not a fact that Government were providing Rs. 3 lakhs for the purpose?

The Hon'ble Mr. J. DONALD: I think Rs. 2 lakhs is the figure, but I have got to look up the budget and see.

Honorary Secretary, Zoological Garden.

*7. **Babu SATCOWRIPATI ROY:** (*a*) Will the Hon'ble Member in charge of the Department of Agriculture and Industries be pleased to lay on the table a copy of the rules or procedure under which the Honorary Secretary of the Zoological Garden is appointed?

(*b*) Is it a fact that formerly Medical Officers used to be selected for the post?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Member be pleased to state the reasons for discontinuance of the practice?

(*d*) What is the technical or scientific qualification of the present Honorary Secretary for the post?

MEMBER in charge of DEPARTMENT of AGRICULTURE and INDUSTRIES (the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur): (*a*) There are no definite rules for the appointment of the Honorary Secretary of the Zoological Garden. Government make the appointment from among the members of the committee of management on the recommendation of the committee.

(*b*) There was no such practice.

(*c*) Does not arise.

(*d*) None. The selection of a Secretary is made in consideration of his interest in Zoology, of his having the necessary leisure to devote to the care of the garden and of the proximity of his residence to the garden in order that he may be in a position to visit it frequently.

Criticism of local Legislature in report on Public Instruction.

*8. **Rai HARENDRANATH CHAUDHURI:** (*a*) Will the Hon'ble Member in charge of the Department of Education be pleased to state whether the report on Public Instruction in Bengal for the year 1924-25 was prepared and published with the knowledge and approval of the then ministry of Education?

(*b*) Has the attention of the Hon'ble Member been drawn to the remarks contained in page 52 of the said report and particularly to the criticism of the Bengal Legislative Council and to the remark that "in 1925 it abdicated its functions in this respect" (*i.e.*, in respect of the Education problem)?

(*c*) Will the Hon'ble Member be pleased to state whether the subordinate officials of the Government who prepare such reports have the right to criticise and cast reflections on the conduct of the Legislature? Whence do they derive such authority?

(*d*) Is the Hon'ble Member aware that reflections against the Legislature have become a common feature of the departmental reports after the introduction of the Reforms?

(*e*) Is it not a fact that many members of the Legislative Council complain every year and did complain at the time of the Budget discussion for 1924-25 about the paucity of grants for Education?

The Hon'ble Mr. J. DONALD: (*a*) The Director of Public Instruction is required to submit a report to Government describing the work of his department each year. Government saw the report of 1924-25 before publication.

(*b*) Yes.

(*c*) and (*d*) The head of a department has the right and it is his duty to bring to the notice of Government any point in connection with which the action of the Legislature has affected the working of the department.

(*e*) There are always complaints that enough money is not provided for education.

Unstarred Questions

(answers to which were laid on the table).

Pasture lands.

25. **Babu AMULYA DHONE ADDY:** Will the Hon'ble Member in charge of the Department of Agriculture and Industries be pleased to state the quantity of pasture land in the province available for grazing of cattle?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: It is impossible to collect statistics regarding the area of land which is actually available for grazing purposes irrespective of the existence of grazing rights.

As regards regular pasture lands in which the public have a right to graze cattle, these are comparatively rare; but to ascertain the exact quantity of such lands would involve a scrutiny of the village lists in the districts in which settlement operations have taken place, whereas in districts in which there has been no settlement, a survey would be necessary. The time and labour involved in the collection of this information would be incommensurate with its value.

Presidency and Islamia Colleges.

28. Maulvi ZAHNOOR AHMED: (*a*) Will the Hon'ble Member in charge of the Department of Education be pleased to state the number of stipends reserved for Muhammadan students in the Presidency College?

(*b*) Is it a fact that a very large number of stipends are now going to be transferred from the Presidency College to the Islamia College?

(*c*) Has the attention of the Hon'ble Member been drawn to the difference of fees of the Presidency College and of the Islamia College?

(*d*) Is it a fact that there are no B.Sc. and Post Graduate Classes in the Islamia College?

The Hon'ble Mr. J. DONALD: (*a*) There are 100 part-free studentships, 60 Mohsin stipends for Muhammadan students.

(*b*) No.

(*c*) The difference is known.

(*d*) Yes.

Water-logging in a certain area in thana Rajarhat in Barasat.

27. Rai HARENDRANATH CHAUDHURI: (*a*) Will the Hon'ble Member in charge of the Department of Irrigation be pleased to state whether any representation was made by the inhabitants of a number of villages such as Ghuni Jatragachi, Hatiara, Baguiati, Mahisbatan, Krishnapore, etc., in thana Rajarhat in Barasat subdivision, to the Secretary to the Government of Bengal, Irrigation Department, in September, 1925, regarding the water-logging and drainage of the excess water of the area?

(*b*) If so, what action has been taken on that representation?

(*c*) If no action has been taken will the Hon'ble Member be pleased to state the reason?

(*d*) Is the Hon'ble Member aware that the obstruction of the drainage of the surplus water of that area through Paranchaprashi khal into the Bidyadhari river on the opening of the Krishnapore new canal has aggravated the hardship of the people of the locality and is causing serious loss to them every year?

(*e*) Are any steps being taken or are proposed to be taken to alleviate their loss and sufferings and to make sufficient and permanent provision for the drainage of excess water of the area and remove the water-logging?

(*f*) Are the Government considering the advisability of issuing necessary orders immediately to maintain during the rainy season the depth of the water of the new Government canal at five feet? If not, why not?

(*g*) What other remedies are the Government prepared to provide to alleviate the sufferings of the inhabitants and prevent loss of cultivation in the said area during the rainy season?

MEMBER in charge of DEPARTMENT of IRRIGATION the Hon'ble Maharaja Kshaunish Chandra Ray Bahadur of Nadia: (*a*) Yes, in August, 1925.

(*b*) Drainage was effected to the extent possible, consistent with the safety of the canal works.

(*c*) Does not arise.

(*d*) No.

(*e*) As regards present action, as in reply to (*b*) above. No investigation for any independent drainage project has been undertaken in view of the fact that the Grand Trunk Canal if carried out will effect an improvement in the drainage condition of this area.

(*f*) Maximum drainage consistent with the safety of canal works is being effected during current year and this will be done till the canal level falls down to +5·00.

(*g*) No other steps are contemplated.

Articles in the "Bengalee" against the Subdivisional Officer of Barrackpore.

28. Mr. C. C. COOPER: (*a*) Has the attention of the Hon'ble Member in charge of the Police Department been drawn to three leading articles appearing in the *Bengalee* on the 14th, 15th and 16th July casting aspersions on the Subdivisional Officer of Barrackpore.

(*b*) If so, has any action been taken by the Hon'ble Member against the editor and publisher and persons concerned, or any of them?

(*c*) If the answer to (*b*) is in the affirmative, what action does the Hon'ble Member propose to take in the matter?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. L. Birley): (*a*) to (*c*) I read the articles when they appeared. I did not then take legal advice, because I came to the conclusion that it was unlikely that the editor could be successfully prosecuted. On receipt of this question I took legal advice, which has confirmed the view which I took. Government do not contemplate taking action in the matter.

Drainage system in certain irrigation canals of the 24-Parganas.

29. Babu HEM CHANDRA NASKER: (*a*) Will the Hon'ble Member in charge of the Department of Irrigation be pleased to state whether he is aware that a large number of *abads* (paddy fields) lie on both sides of the Tolly's Nala, Bidyadhari river and other canals of the Irrigation Department, such as Kistopur, Bhangore and Magrahat canals within the district of the 24-Parganas?

(*b*) Is the Hon'ble Member aware that the only outlets of the excess of rain water accumulated in those *abads* are into the irrigation canals?

(*c*) Is the Hon'ble Member aware that there are lock-gates at the mouths of these outlets?

(*d*) Is the Hon'ble Member aware that it generally happens that owing to the want of prompt action of the department the excess of waters accumulated in those *abads* not being let out in time the seedlings cast there die prematurely?

(*e*) Does the Hon'ble Member propose to make some permanent arrangement, so that the injury to crops may not recur in future?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia: (*a*) to (*c*) Yes.

(*d*) No.

(*e*) As occasion arises, schemes for improvement of the drainage will be investigated and action taken.

Bengal Government Press and Alipore Central Jail Press.

30. Mr. K. C. RAY CHAUDHURI: (*a*) Will the Hon'ble Member in charge of the Finance Department be pleased to lay on the table a

statement showing the pay of the Head Clerk, Overseers, Head Reader, Senior Readers, other Readers, Section-holders, Store-keepers, Type Store-keepers, and the Distributing Section-holders, and Ground-floor Overseer of the—

(*i*) Bengal Government Press; and

(*ii*) Alipore Central Jail Press?

(*b*) Is there any difference of pay between the corresponding posts of those two presses?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Member be pleased to indicate those posts with reasons for the difference?

(*d*) Is there any difference between the duties of the corresponding posts of those two presses?

(*e*) What is the date of the first appointment and the posts held showing the gradual promotion and increment of pay with designation of the present Head Clerk, Head Reader, Readers, Section-holders, Ground-floor Overseer, and the Roll-keeper of the Alipore Jail Press?

(*f*) What were the respective pay and designation of the employees mentioned in (*e*) on the 1st January, 1920, and also on 1st January, 1926?

(*g*) In how many languages is the work carried on in the—

(*i*) Bengal Government Press; and

(*ii*) Jail Press?

(*h*) How many employees are there in the Press and Forms Department, Alipore Jail Press?

(*i*) How many of them have got the Bengal Government Press scale of pay?

(*j*) What was the pay on the 1st January, 1920, and also on 1st January, 1926, of the men who have not as yet got the Bengal Government Press scale of pay?

MEMBER in charge of FINANCE DEPARTMENT (the Hon'ble Mr. J. Donald): (*a*) to (*j*) Government do not consider that it would be desirable to publish the information required. The work in the two presses is not altogether the same, and therefore there are necessarily differences in details.

Arrests in Armenian Street.

31. Babu SURENDRA NATH RAY: (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state whether the police arrested in Armenian Street, Calcutta, at midnight of the 20th July, 97 merchants and their employees?

(*b*) Is it a fact that the arrested persons were almost all the members of three houses in Armenian Street leaving only the females and children?

(*c*) Is it also a fact that the police broke open the doors and entered the zenana with pointed pistols without any warning?

(*d*) Is it a fact that ten Moslem volunteers accompanied the police who entered the zenana along with them?

(*e*) If so, under whose orders was all this done?

The Hon'ble Mr. L. BIRLEY: (*a*) Ninety-seven persons were arrested on the date mentioned, among who were some Marwari merchants.

(*b*) and (*c*) Yes.

(*d*) No. Only two Muhammadan volunteers accompanied the police as formal search witnesses.

(*e*) Under the orders of the officer in charge of the investigation and under the supervision of the Deputy Commissioner, North Town.

Slaughter of cows.

32. Babu AMULYA DHONE ADDY: Will the Hon'ble Member in charge of the Department of Local Self-Government be pleased to lay on the table a statement showing the number and age of each of different kinds of bovine cattle slaughtered during each of the last three years in the jurisdiction of each of the—

(*a*) Municipalities;

(*b*) Cantonments; and

(*c*) if possible, in rural areas of each district for local consumption?

MEMBER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (the Hon'ble Maharaja Kshaunish Chandra Ray Bahadur of Nadia): The information is not readily available. The time and labour involved in collecting it would, in the opinion of Government, be disproportionate to its value.

Infant mortality.

33. Babu AMULYA DHONE ADDY: Will the Hon'ble Member in charge of the Department of Local Self-Government be pleased to state the rate of infant mortality in the province during each of the last three years?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia: The rates of infant mortality in Bengal for the last three years have been as follows:—

1923	.. 182·1	Per 1,000 births of living children.
1924	.. 184·2	
1925	.. 181·2	

Alleged proposal for establishment of Union Board in Khardah.

34. Rai HARENDRANATH CHAUDHURI: (*a*) Will the Hon'ble Member in charge of the Department of Local Self-Government be pleased to state what steps are generally taken to ascertain the wishes of the people of a particular area before the establishment of a Union Board under Bengal Act V of 1919 in that area?

(*b*) Will the Hon'ble Member be pleased to lay on the table a copy of the report, if any, made by the Subdivisional Officer, Barrackpore, or the Circle Officer in charge of the area under Khardah thana in the matter of the establishment of Union Boards in that area?

(*c*) Are the Government aware that the people of Belkanda Union—Union No. 11—in Khardah thana and of the neighbouring places do not desire the establishment of a Union Board in the area?

(*d*) Will the Hon'ble Member be pleased to state whether any representation has been made by the people to the Government opposing the establishment of any Union Board in that area?

(*e*) What action, if any, has been taken on that representation?

(*f*) If the answer to (*e*) is in the negative, are the Government considering the desirability of making an independent inquiry to ascertain the views and wishes of the people of the locality before the establishment of any Union Board in that area? If not, why not?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia: (*a*) Such steps as the local officers think necessary.

(*b*) No proposal for the establishment of Union Boards in Khardah thana of the Barrackpore Subdivision has yet reached Government.

(*c*) Government have no information.

(*d*) and (*e*). A representation, which was forwarded by the member, was received in the Local Self-Government Department on 31st July, 1926. Government have forwarded the representation to the Divisional Commissioner for disposal.

(*f*) Government do not consider an independent inquiry desirable if the member means by his use of the word "independent" an inquiry by other agency than that of the local officers.

Asansol sub-post office, hours of posting at.

35. Mr. C. C. COOPER: (*a*) Will the Hon'ble Member in charge of the Department of Commerce be pleased to state why the hours of posting at the Asansol sub-post office have been changed so that the latest hour of posting is now 17-30 hours?

(*b*) Are the Government aware that local bodies have strongly protested against the changes?

(*c*) Is it a fact that many persons in the district have to send two and three miles to the Post Office and at present find great difficulty in posting their mail by 17-30 hours?

(*d*) Is the Hon'ble Member considering the desirability of moving the Postal authorities to extend the latest hour of posting to 18-30 hours?

MEMBER in charge of DEPARTMENT of COMMERCE (the Hon'ble Mr. J. Donald): (*a*) to (*c*) This Government have no information.

(*d*) A copy of the question and answer will be forwarded to the Director-General of Posts and Telegraphs.

Rescission of orders conferring the power of electing their Chairman on the Midnapore Board.

36. Babu MAHENDRA NATH MAITY: (*a*) Is the Hon'ble Member in charge of the Department of Local Self-Government aware that Mr. B. N. Sasmal was the elected Chairman of the last District Board of Midnapore?

(*b*) What is the reason for not approving the election by the District Board of Midnapore of Mr. B. N. Sasmal as Chairman of that District Board?

(*c*) What is the reason for not asking the members of the District Board of Midnapore to elect another person as their Chairman when the election of Mr. B. N. Sasmal was not approved by the Government?

(*d*) Was the right given to the District Board of Midnapore of electing their Chairman withdrawn by the Local Government?

(*e*) If the answer to (*d*) is in the affirmative, when and why was that privilege withdrawn?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia: (*a*) Yes.

(b) Under the Local Self-Government Act the election of a Chairman is subject to the approval of Government. In view of Mr. Sasmal's conduct of the Chairmanship Government did not approve of him as Chairman and withheld their approval.

(c) to (e) The member is referred to Government Order No. 2090-L.S.-G., dated the 12th June, 1926, of which a copy is laid on the Council table.

Government order referred to in the reply to in unstarred question No. 36.

GOVERNMENT OF BENGAL.

LOCAL SELF-GOVERNMENT DEPARTMENT.

Local Self-Government Branch.

No. 2090-L.S.-G., dated Calcutta, the 12th July, 1926.

From—The Secretary to the Government of Bengal,

To—The Commissioner of the Burdwan Division.

I am directed to refer to your No. 370-C., dated the 5th May, 1926, recommending that the approval of the Governor in Council under section 22, Local Self-Government Act, to the election of Babu Birendra Nath Sasmal as Chairman of the Midnapore District Board be withheld, and to say that His Excellency in Council has decided, after very careful consideration, not to approve this election. It follows that the post of Chairman of the Midnapore District Board is vacant. As the privilege of electing their own Chairman was extended to the members of the Midnapore District Board, among others, by Government Circular No. 502-06-L.S.-G., dated the 26th February, 1920, the natural course would now be to ask the members to elect some one else as Chairman. His Excellency in Council is, however, advised that he has no power under the Local Self-Government Act to order a fresh election, should he withhold the approval to the election held under section 22 of the Act, and that the only course open to him is to rescind the order of 26th February, 1920, so far as the District Board of Midnapore is concerned, and to appoint a Chairman. The Governor in Council, therefore, hereby rescinds so much of the order conveyed in Government Circular No. 502-06-L.S.-G., dated the 26th February, 1920, as refers to the District of Midnapore.

As His Excellency in Council has no intention of making any departure from the policy of having non-official elected Chairmen of District Boards, which has worked well on the whole, he wishes you to impress on the members of the District Board his reasons for filling up the vacancy by appointment instead of by a fresh election.

I am to add that His Excellency in Council has decided to appoint Babu Debendra Lal Khan, M.L.C., as Chairman of the Midnapore District Board, and that a notification to this effect will be published in the *Calcutta Gazette*.

38A. Babu BEJOY KRISHNA BOSE: With reference to the answer to question (*b*), will the Hon'ble Member be pleased to give definite instances of such conduct as that disapproved by Government?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia: The law does not require Government to state the reasons for withholding approval, and I am quite prepared to state the reasons if Mr. Sasmal came and saw me, but I am not prepared to publish them or state them to a third person.

Platforms on the stations on the Eastern Bengal Railway.

37. Babu HEM CHANDRA NASKER: (*a*) Is the Hon'ble Member in charge of the Department of Public Works (Railways) aware that though there are platforms on one side only of almost all the stations on the Eastern Bengal Railway and that the passenger trains sometimes stop on that side of the platform where there is no platform?

(*b*) Is the Hon'ble Member aware that passengers alighting from such trains very often meet with accidents especially at Magrahat and Kalyanpur stations on the southern section of the Eastern Bengal Railway?

(*c*) Are the Government considering the desirability of drawing the attention of the Railway authorities to the matter?

MEMBER in charge of DEPARTMENT of PUBLIC WORKS [RAILWAYS] (the Hon'ble Mr. J. Donald): (*a*) and (*b*) Government have no information.

(*c*) No. There is an Advisory Committee to which the member may refer.

NON-OFFICIAL BUSINESS.

Non-official Members' Bills and Resolutions.

The Bengal Pasture Bill, 1926.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: I beg to present the Report of the Select Committee on the Bengal Pasture Bill, 1926, by Dr. H. W. B. Moreno.

Dr. H. W. B. MORENO: I beg to move that the Bengal Pasture Bill, 1926, as reported by the Select Committee be taken into consideration.

This Council I take it is a body for the purpose essentially of framing legislation, and I take it, too, that Government make use of its proceedings to carry out helpful legislation for the benefit of the people of the province. At the same time I hold that it is the right of every private member of this Council, whether elected or nominated, to introduce legislation of a helpful kind and for the welfare of the people of the province. The Bengal Pasture Bill is an instance of such legislation. It is for the welfare of the cattle of Bengal which in its turn will help to improve the condition of the people of Bengal. Now, Sir, this Pasture Bill was introduced in the Council and accepted by the Hon'ble Nawab Bahadur and went into the committee stage. The Select Committee made many alterations in the Bill; large amendments were discussed and accepted; provisions were entirely cut out, in fact, a whole chapter was deleted from the Bill. After all that work and all that energy expended on the Bill and its provisions we have the attitude of Government as against the Bill. Surely, the work of the committee then has been in the nature of ploughing the sands and an entirely abortive task; I have not much commendation for the attitude of Government which see their way at one stage to accept the Bill and later on to cast it out altogether. It is not fair to those who have devoted a good deal of their time and energy for the passage of the Bill, but generally speaking, I hold that the Bill is valuable and that its provisions tend largely to the benefit of the people. It is acknowledged that the infant mortality here in this province as in the remaining portion of the country is increasing by leaps and bounds. Infant mortality is practically double of what it is in any city of the West; in some instances it is higher. Now to combat this infant mortality which is at present engaging the serious attention of Government Colonel MacTegart in discussing this very question said that better than the provision of cheap nurses at the time of child-birth, better than the provision of facilities of condition of child-birth is the provision of cheap wholesome milk for infants and for their mothers. It is also admitted that while the ravages and scourges that devastate the country take a good toll in infant mortality, the real reason why the people are unable to withstand these revages and survive the devastation is because there is not sufficient vitality in the people. Now vitality can only be gained by good food and here in Bengal people are largely dependent on a vegetarian course of diet. Even in that vegetarian course of diet, milk products are required, and ghee is an element which enters largely into the food of the Indians. We know now as things are, that ghee is as valuable as silver is in the mark. The people do not get wholesome milk to drink with the result that when a scourge breaks out and carries its depredations into villages, their

vitality is so lowered that they are unable to survive the ravages of those scourges. Now it is to prevent, to remedy these evils that a Bill of this kind has been thought of by me. One has only to look at the starved and miserable condition of the cattle of the province to be convinced of their deterioration. Not only in the city itself where they can be seen wandering in the streets seeking whatever food they can get, but also outside the cities one can see these starving animals trying to get their little sustenance out of railway land. The reason is that often no pasturage is set apart for them, there is no land set apart for the growing of fodder in order that these poor animals may have something to live upon. It may be advanced, and I dare say it has been advanced, that land is so valuable in Bengal that there is not sufficient land for growing food for its people, leave alone the question of feeding the cattle of the province. Arguments of this kind show a very short-sighted policy because if you use up every available plot of land for the growing of food for the people and neglect feeding the cattle of the land entirely you are committing a very serious offence against the commonwealth, for by providing facilities for the cattle to graze and eat grass which grows plentifully in the meadows, you provide for your own better sustenance in the shape of good milk. You starve the mother, you starve the father, the whole household and consequently the whole progeny. You are depriving them of one of the greatest necessities of life. In the West we can increase our diet with milk and such other things in the daily menu, but here in India we are dependent upon just a vegeterian diet supplemented in some form or other by mill products. Therefore, a Bill of this kind is a Bill which affects the cattle of this land directly and the people indirectly. In the cadastral survey of the districts of Bengal the pasturage has been mapped out. If we do not have a Bill of this kind providing for the pasturage, then what will be the result? We find that even the existing pasturages are being encroached upon by the zamindars and tenants, but the starving cattle have nothing to say in the matter. By a gradual process of elimination all the pasturages are taken away and nothing is left to the poor cattle which live upon whatever they can find.

A Bill of this kind will prevent such encroachments and preserve the condition of the cattle. Further in the Bill there is a provision made for the imposing of a cess for the purchase and maintenance of pasturages, and it is this cess that is causing, I think, a great deal of consternation among my friends here in this Council. They say if you impose a cess upon the people, the burden of taxation is already so great that they will refuse to have any additional burden put upon them. Now I do say this, and I say this with a good deal of seriousness, that if you are in earnest about improving things in the country you must submit to a little sacrifice. Nothing is to be got by merely looking up to the heavens, nor shall everything descend like the

refreshing rains from the sky above. There must be some sacrifice on the part of the people, if you are out to improve the condition of the people. We had a good deal of talk previously in this Council about primary education in this province, and there was also the talk of a Government Bill on the subject, but the whole question hinges upon the educational cess which would be required if you decide to spread primary education in Bengal. I take it, Sir, that this is a case on all fours with that. If you desire to improve the condition of cattle, you must make some sort of sacrifice—some cess to be imposed upon the people—in order that pasturages might be preserved, and if the pasturages are not sufficient, the Bill provides that fodder crops may be grown on these lands and food thus made available to the cattle. But you must, as I said before, make some sacrifice. If you are not going to do that then away with all hope of improvement. Moreover, if one studies carefully the Bill he will find that the cess is not absolutely obligatory—it is conditional—it is entirely voluntary for the district board. If the board finds that its funds are not sufficient for the acquisition of such pasturages, this Bill gives power to the board to levy a cess for the purpose of maintaining such pasturages. Therefore, nothing is going to happen in the immediate future, and there is no ground for apprehending that the people are going to be taxed in an inordinate manner. It is only a provision that will come into force if the district boards have not the money available for the purpose. Sir, I realise that so far as the principles of the Bill are concerned, no sane, thinking, member of this House will deny that it is a Bill that really seeks to do something for the welfare of the poor cattle of Bengal. And I say that if this Bill be thrown out by Government and by their supporters, the whole attitude of Government will be open to serious criticism, because the people will see that while Government are prepared to discuss the whole thing in the committee stage, they turn entirely round and cast the Bill out. If there are any defects in the Bill itself they should have been remedied in the committee stage and put right there. If now the attitude of Government be that the Bill is not worthy of examination, it will only expose itself to a fusillade of ridicule on all sides. I, therefore, hope that Government will take up a favourable attitude with regard to this Bill which, after all, is as helpful a piece of legislation as any of the items of legislation that comes before this Council. With these remarks, I ask that the Bill be taken into consideration by the House.

Mr. P. N. GUHA: I beg to move, by way of amendment, that the Bill as reported by the Select Committee be recommitted to the Select Committee, without limitation, with instructions to submit a fresh report for further consideration, quorum to be five.

Sir, at the very outset, I want to assure my friend, Dr. Moreno that I am not against the principle of the Bill, and that is the reason which has induced me to ask the House to send it to the Select Committee again for further consideration. Sir, I was a member of the Select Committee, and I understand that there were only two sitting of the committee, at one of which I could not be present being engaged in the Public Accounts Committee. The next day I came and found that the whole thing was put in a cut-and-dried fashion, and I had no time to make any improvement. In my note of dissent I have elaborated and explained the position that would overtake the *raiyats* of Bengal if this Bill is passed into law. Sir, only the other day the Hon'ble Maharaja Bahadur of Nadia and Mr. Birley expressed the intention of the Government to establish a net-work of union boards to improve the condition of villages in all respects. I do not see why the establishment of pasture lands should not be one of them. I understand that a special officer who is just now on deputation is looking into the working of the Village Self-Government Act, and, if found necessary, the Government will in due course bring an amending Bill. I think that the provisions that have been tried to be embodied in this Bill can easily go into the Village Self-Government Act. You are aware, Sir, that the Village Self-Government Act has given powers to the union boards to impose taxes. I do not see why it should be impossible for the union boards to maintain pasture lands out of their ordinary resources. As I have shown in my note of dissent, this Bill, if passed into law, will impose two further kinds of taxes: one for maintaining pasturages and another for grazing. Further, if the amendment of the Hon'ble Member in charge of the Department of Agriculture and Industries is carried out, and clause 31 is deleted from the Bill, the Government will retain the power of levying further rates and taxes. This, I think, is most injurious to the welfare of the village folks of Bengal. It is generally agreed that the limit of taxation has been reached in the villages. My friend, Dr. Moreno, has referred to the educational cess. He knows that the people of Bengal are generally averse to it, but it may have to be agreed on, on a quite different ground. I am almost sure that Dr. Moreno, if he had any knowledge of the Bengal villages, or if he had taken the trouble of crossing the area of a single village (A VOICE: Exactly so) he would never have ventured to say that this Bill would improve the condition of villagers. Sir, I think that it does not lie in the mouth of those, who have never gone beyond the limits of the Marhatta Ditch, to say that this Bill will prove to be a blessing. I, as one born and brought up in a village, consider that the provisions of this Bill, as amended by the Select Committee, if passed into law, will greatly injure the people whose welfare it pretends to seek. I do not want to throw out the Bill at once: I want it to be recommitted to the Select Committee for further consideration.

Mr. W. L. TRAVERS: I sympathise entirely with the motive and object of the hon'ble member who has introduced this Bill, that is to say, with his desire to improve the breed of cattle in Bengal by providing them with a sufficiency of pasture and food. Those ideals are, of course, laudable ones and I sympathise with them heartily. But speaking as a practical agriculturist, on an examination of his views, I cannot see that the Bill will do anything at all to advance his ideal. The problem, first of all, is purely an economic one. If one looks at it from the point of view of the people of Bengal, one knows that here we have a swarming population which is pressing on the land for the means of subsistence, and the real reason why there is insufficient pasture in the province is because that the land is required for the production of food and other profitable crops. The Bengal *raiyat* is keenly intelligent of his own interests. If you can persuade him, or teach him, that the breeding of good cattle is to his advantage, he will surely breed cattle, as surely as he grows rice and jute to-day. I entirely disagree with the view which would interfere with land being used for its natural and economic object. I dislike, moreover, the imposition of cesses. I think there is a distinct danger that a cess may be imposed by a body—a local board or some local institution—of non-agriculturists upon an agricultural population. I think that is a great danger under the provisions of the Bill, if enacted into law.

Now turning for a moment to the second aspect of the Bill, that is, the improvement of the breed of cattle in the province by the provision of more and sufficient pasturage. The breed of cattle, of course, in this province is a disgrace to Bengal. The cattle, as they are, can be improved, but to provide the present breed with a larger amount of food will only increase the evil. If the hon'ble member, who introduced this Bill, and every member in this Council were interested in the *raiyat* and his well-being, the only thing they need do is to launch a campaign throughout Bengal for the improvement of the breed of cattle in the province. It is only by that means that the ideals of the hon'ble member will be carried into fruition. That is the only work necessary for improving the breed. It is perfectly possible within ten years to introduce in Bengal a breed of cattle, so that one could do the work of the present three or four. In regard to the provision of food for that breed, it is perfectly easy to give food to the cattle of Bengal without taking away rice-land and providing them for pasture. This has been frequently described in lectures and in the writings of the Agricultural Department of this province and it is by growing fodder crops and feeding the cattle with them. Moreover, the experiments of the department in regard to the silage show that it is extremely probable—it is almost certain—that fodder will be preserved by silage throughout the whole year.

In conclusion, I have to say that if this Bill be passed into law, it would either be a dead letter that is the probability—or if it is used at all, it would be a danger to the people of the province. I, therefore, oppose it.

Maulvi SAYYED SULTAN ALI: I beg to oppose this Bill as it stands. Of course, it is admitted on all hands that there is a dire necessity for pasture lands in Bengal for the improvement of cattle. Nobody will deny that, but the manner in which the Bill has been drawn up will most prejudicially affect the people for whom it is intended. That is the reason why I object to the passing of the Bill. Sir, if we go into the history of the question, we find that not very long ago there were enough of pasture lands in Bengal which together with the rise in prices of crops have been converted into agricultural lands by zamindars who have been deriving benefit out of those lands. Now, when the question has arisen as to the acquisition of land for the purpose of pasture lands, it is the poor people who are going to be taxed, and they are going to be taxed in three different ways. The provisions of the Bill are that pasture lands should be acquired partly with the money paid by local authorities which would acquire the land and partly by collecting pasture cess from the people. I believe the Select Committee did not consider it at the time of framing this Bill that the money which will be paid by local bodies are nothing but people's money raised by taxation. If they are taxed for pastures again, it would cause a great deal of hardship upon them which cannot be justified in any sense. There is another reason for which I object to the levying of pasture cess and that is this: that if a man becomes an owner in the acquisition of any land he cannot be charged again for using it. But this Bill has made provision for taxation for grazing cattle, at the same time it lays down that pasture cess should be assessed upon the people for the purpose of acquisition of land. If this Bill is passed, then people will have to pay thrice. For those reasons I object to the passing of the Bill as it stands at present. What I think just and proper under the circumstances is that a portion of it should be borne by zamindars, a portion of it should also be borne by Government as the people at large will be benefited by the improvement of cattle and a portion of it should be borne by those who would take advantage of those pasture lands by grazing cattle on it, but such provisions have not been included in the present Bill. I suggested by an amendment that a part of it should be borne by Government but that amendment has been disallowed by the Hon'ble the President, and it was communicated to me so late that I could hardly take any steps for the acceptance of my amendment. For the above reasons I object to the passing of the Bill, but at the same time I am in entire agreement with the amendment proposed by Mr. Guha for recommitting the Bill to the Select Committee for further consideration.

Babu AMULYA DHONE ADDY: I am sorry I cannot support the amendment of our esteemed friend, Mr. Guha. Sir, he has alleged that the framer of the Bill has no local knowledge of the villagers and, therefore, he has introduced this Bill. But he appears to forget that this Bill has been drafted not by Dr. Moreno, but by some of the leading members; and specially the President of the All-India Cow Conference Association. However, Sir, as for myself I may be allowed to say that though I am a resident of Calcutta, yet I have some knowledge of villagers and therefore I may be permitted to say that they are in favour of this proposal. This Bill appears to me to be very urgent. It has been introduced in the month of December last and every opportunity has been given by the Government to the public to submit suggestions and objections, if any, to this Bill. Twenty-two public bodies have been consulted and they have already submitted their opinion; and their suggestions and objections have been taken into consideration and thoroughly discussed by the Select Committee. These public bodies have supported the principles of the Bill with the exception of the chapter on recovery of pasture lands; and the Select Committee have omitted that portion of the Bill. The important factor that has largely contributed towards the deterioration and diminution of the bovine species is the want of adequate pasture land and fodder in this country. The practice of leaving sufficient land as free pasturage was common in the past, but with the lapse of time, such open lands have become grossly insufficient. Sir, Bengal possesses pasture land of meagre description. Lieut.-Col. Raymond says that reports of all the district officers of Bengal go to show that curtailment of grazing lands has taken place in almost all the districts of the province and has caused deterioration of cattle. The Board of Agriculture has thoroughly discussed the matter and recommended the adoption of the measures, namely, the preservation of grazing grounds by legislation, legislation authorising local bodies to expend a portion of their income for acquisition of grazing grounds at the cost of the State as well as of local bodies. The provision of grazing grounds on a liberal scale is a matter of great urgency and legislation should forthwith be undertaken for the purpose. Grazing ground should be provided in each village according to its needs and requirements and the number of cattle it possesses.

Some Indian States, too, have reserved by rules a fixed proportion of land as pasturage as, for instance, Baroda and Mysore.

Then, again, the fodder crops grown in this country are quite insignificant and the area under fodder crops compares very unfavourably with the area under the same in other countries. The fodder-supply for the existing cattle is consequently grossly inadequate and they have to remain semi-starved. The effect is plainly visible in times of scarcity when herd after herd die owing to sheer starvation. Sir,

this is the deplorable state of things existing at present and which have been so ably and so forcibly brought out in a memorial forwarded to His Excellency the Governor by the Cow Preservation League and the All-India Cow Conference Association. Sir, this is the gloomy picture which has been drawn up after a very thorough enquiry into the whole matter.

Then, Sir, I am really astonished to find that the Hon'ble Nawab Bahadur who is the Member in charge of Agriculture has submitted a note of dissent. He says that local authority has not been consulted. Well, Sir, he should have raised this question in the Select Committee.

As regards taxation it is quite discretionary with the local authority. It may or may not levy the tax. It may depend on its existing resources; and so the Select Committee have suggested that the local authority may levy tax but with the previous sanction of the Local Government. Therefore, if the villagers object to this tax, the local authority may not levy it; and even if it does, then the Local Government may cancel it. So, Sir, the grounds for misapprehension are without any foundation. Then, again, Sir, I entirely agree that it would be a case of great hardship on the villagers if they are enforced to pay the whole of it. Therefore, I would suggest that Local Government may be pleased to contribute towards the acquisition of pasture land. Then, Sir, Mr. Guha has submitted in his note of dissent that the Magistrate has been authorised to punish for encroachment. I think there is no harm in it. If the person is aggrieved by the decision of the Magistrate, he may go to the High Court for redress.

Mr. Travers has stated that we must have land for the cultivation of crops, but how can it be done until we increase the number of cattle and improve the quality of bullocks. And this can only be done by keeping open lands for pasturage and by the improved method of breeding. Sir, the serious shortage in number and the very poor quality of stud-bulls in this country and lack of breeding centres are directly responsible for the present inferiority of Indian breeds of cattle. Sir, I agree with Mr. Travers so far as the improved method of breeding is concerned, and I trust he will support the Bill as it has the provision of stud-bulls.

Mr. Sultan Ali has stated that instead of being beneficial, the villagers will be very much affected by the passing of the Bill. I am sorry I cannot follow him. Sir, during the rainy season there is not a single inch of land which can be called pasture land. Well, Sir, I am myself the owner of 35,000 bighas of land in the Sunderbans. I am really astonished to find that, with the exception of embankments, there is not a single inch of ground left for pasturage during rainy season. Then my friend has stated that pasture lands have already been encroached by the zamindars. The fact is that because there was no

demand for lands a few years ago and the price of crops was very low, there was no demand for these pasture lands. When the lands were lying vacant, certainly the zamindars allowed the people to have their cattle graze on the lands. It has been urged that it would cause a great deal of hardship if a grazing fee is levied. It is quite within the discretion of the local authorities whether there should be a cess for this purpose or not. With these remarks I strongly oppose the amendment of Mr. Guha. I do not know what the object of Mr. Guha is in moving his amendment. This Bill has been pending since December last, and if we shelve this matter in the way suggested by Mr. Guha, the result will be disastrous and ruinous to the people, and it will practically kill the Bill itself.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: I do not oppose the amendment of Mr. Guha.

Dr. H. W. B. MORENO: In replying to the criticisms levelled against the Bill I should like at the outset to say that I do not at all appreciate the attitude of Mr. Guha in regard to my knowledge of the villages in Bengal. Mr. Guha relegates to himself all the knowledge and tries to except any body else as being equal to him in knowledge or experience. I trust Mr. Guha will change an attitude of that kind which insists on saying: "I am the Sir Oracle, and you are no body." I hope he will accept the suggestions made by people who, though they may not possess the vast and varied experience he has got have at times crossed the Marhatta Ditch, and have also some knowledge of the activities of the villages of Bengal. Leaving aside all these questions, dealing with Mr. Guha's suggestion it boils down to this: that the cess is a thing that will be resented by the villagers of Bengal, and therefore the Bill is not required. Mr. Guha has failed to study the Bill himself, for he will see if he reads its provisions that it is a Bill which allows a cess to be levied only after the Government of Bengal is consulted, and it will be the last deciding factor as to whether the cess is necessary in the interests of the people and of the cattle. So any question of arbitrary action being taken goes to the winds, when it is realised that Government is the deciding authority in the matter.

I thank Mr. Travers very much for his friendly attitude towards me, but I feel very strongly at the same time that he is not in a position to support the Bill. He talks of the improvement of the breed of cattle, but I will refer him to my Cattle Bill whereby I have made what provisions I could for the improvement of the breed of cattle in Bengal. So the arguments he laid forth concerning the improvement of the breed of cattle are met by the Cattle Bill. He also talked about the necessity of keeping fodder in silos for the cattle. I have had some experience in that direction and I have realised that whilst silos are very useful in dry lands such as in the United Provinces and elsewhere, the trouble in Bengal is that if fodder crops are kept in such

silos, they deteriorate during the rainy season owing to the damp climate of Bengal and become manure and unfit for use as fodder for the cattle.' But even then Mr. Travers admits that some sort of fodder crops should be raised, and if Mr. Travers will be good enough to examine the last three or four clauses of the Bill, he will see that while pasture lands are essential as pasturages for the cattle, there is a provision for the raising of the fodder crops.

Mr Sultan Ali has raised the tocsin of alarm and has said that this Bill, if passed, will cause a great revolution among the people. He says that these pasture lands have only been encroached by the zamindars, but I should like to refute a statement of this kind which is laid on the broad shoulders of the zamindars of Bengal. He forgets that at times the tenants are equally prone to encroach upon such pasturages perhaps as much as the zamindars themselves. He, however, has raised a rather important point about these pasture lands. He has said that while there will be a cess for clearing these pasturages, there will also be a further cess for the maintenance of the pasturages; so the people will have to pay twice for the same thing. He forgets that when one purchases a pasturage, he does so with all encumbrances on it, trees that may be on it and other hindrances. Mere purchasing a pasture land is not sufficient. One has to keep these areas in proper form in order that they may be profitable as pasture lands in which case certain amount of money, not a very large amount, will be required for the preservation of these lands as pasturages. I fail therefore to see how his argument applies. There is no payment twice for the same thing. The first one is for the acquisition of the pasture land and the second is for the maintenance of the pasture lands for years to come, which is after all a continuation of the same thing.

I am frankly disappointed when I come to the remarks of the Nawab Bahadur, in spite of his broad sympathy towards any thing which concerns the welfare of the cattle of Bengal and which has been much appreciated by the people. He says that he supports the amendment of Mr. Guha that the Bill be referred again to the committee. I know the front benches resort to such things in order to hold up things. Every one knows that in the course of a few days we shall all be gentlemen at large. This Council will be dissolved and this Bill will be referred to a committee which will be dissolved in consequence of the dissolution of the Council. It is only another way of shelving the matter. I do not think I can accept the suggestion of the Hon'ble Nawab Bahadur.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: I have not supported the amendment of Mr. Guha, but I have said that I do not oppose it.

Dr. H. W. B. MORENO: I am afraid the Nawab Bahadur is trying to wriggle himself out of a difficult position by saying that he does not support it and he does not oppose it. I cannot accept an attitude of that kind. We have here to come to a clear-cut decision in this Council—either to have this Pasturage Bill on the Statute Book or not. If you are convinced that it is a useful measure, you as members of the Government benches are expected to speak out your sentiments or expressions on the subject, and no amount of equivocation will meet the point. We want here a clear-cut definite conclusion regarding this Bill. For that reason I still ask the council to receive this Bill for its consideration.

The Hon'ble Nawab Bahadur SAIYED NAWAB ALI CHAUDHURI, Khan Bahadur: As I stated in Council last month, Government have every sympathy with the Member in charge of the Bill in his anxiety to provide for grazing reserves in Bengal. It is an admitted fact that there has been a gradual restriction in the grazing facilities in Bengal, but a moments's reflection will, I feel sure, convince the Council that the remedy does not lie in the direction contemplated in the Bill.

I have already appended a minute of dissent to the report of the Select Committee and my main ground for objection to the Bill as it has emerged from the committee will be found there. But, perhaps, I may take this opportunity of explaining the view which Government take of the problem which the Bill purports to face. As I pointed out in my speech in the Council last month, the question is an economic one, and cannot be solved in the manner proposed in the Bill as it now stands.

Dr. Moreno is not correct in saying that Government have accepted the Bill. Government merely accepted the principle that it is desirable to have pasture lands. But that is a different thing from enacting a law for the levy of a special cess for systematic acquisition of pasture lands, and Government consider that the Bill as it has emerged from the Select Committee will not help in solving the problem.

It is true that the Select Committee has removed some of the revolutionary proposals which the original Bill contained, such as confiscation of existing right of land, but the Bill, even as it stands now, is far from a satisfactory one. Clause 31 of the Bill, for example, contemplates that all pasture lands, however acquired, should be exempt from all rates and taxes. In the case of pasture lands which are acquired by purchase, lease or gift by a local authority, this clause would have the effect of making these lands revenue-free as well as exempt from such rates as water-rate, under the Irrigation Act. I need hardly point out that there is no justification for such exemption.

It is intended to give local authorities power to impose a pasture cess. But, as I have pointed out in my minute of dissent, local authorities themselves, although they are most intimately concerned in the provisions of the Bill, have not been specifically consulted. We do not know whether they want such an Act, or whether they would be willing to take advantage of the provisions of such an Act. I need only point out here that the power of taxation which it is proposed to give to the local authorities would be very unpopular, and judging from past experience in the matter of taxation by union boards it is undesirable to introduce legislation for fresh taxation by these bodies. I fear, Sir, that very few local authorities will come forward to utilise such an enactment, and the Bill will therefore remain a dead-letter.

Coming to details I may point out that the Bill provides for the imposition of a tax on a uniform rate; but it is not stated what the uniform rate means, that is, whether by uniform rate is meant that every individual will pay the same amount or whether the rate will be a uniform one on property or income. Clause 13 is also defective in as much as it does not say on what persons or classes of persons the cess is to be imposed. Then, again, clause 13 (2) purports to authorise the local Government to make rules regarding the manner in which the cess would be levied but not regarding the persons who are to pay.

It will appear, Sir, from all these considerations, that the Bill as it has emerged from the Select Committee, is open to serious objections and on behalf of Government I beg to oppose it and trust that the Council will not proceed further with such an unsatisfactory enactment.

The motion of Mr. P. N. Guha was then put and a division taken with the following result.

AYES.

Ahmed, Sardar Mahafezuddin.
Barton, Mr. H.
Birley, the Hon'ble Mr. L.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Child, Mr. R. H.
Chowdhury, Maulvi Fazlal Karim.
Cohen, Mr. D. J.
Cooper, Mr. C. C.
Crawford, Mr. T. C.
Das, Babu Charu Chandra.
Das, Rai Bahadur Amar Nath.
Davis, Mr. J. Cooper.
De, Mr. K. C.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. C.
Dutt, Mr. C. S.
Farequi, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Ghuznavi, Nadji Mr. A. K. Abu Ahmed Khan.
Guha, Mr. P. N.
Heard, Major General Richard.
Hodgson, Mr. R. C.
Hopkyns, Mr. W. S.
Lal Mahammed, Haji.
Lindsay, Mr. J. H.
McAlpin, Mr. M. C.
McKenzie, Mr. D. P.
Moberly, Mr. A. M.
Morgan, Mr. G.
Nazimuddin, Mr. Khwaja.
Patterson, Mr. D. C.
Philip, Mr. J. Y.
Rahman, Mr. A. F.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra of Nadia.
Ray Chaudhuri, Mr. K. C.
Ray Chaudhuri, Raja Manmatha Nath of Santosh.
Roy, Mr. S. N.
Roy, Raja Manilall Singh, of Chakdighi.
Simpson, Mr. J. W. A.
Stapleton, Mr. H. E.
Travers, Mr. W. L.
Wilson, Mr. R. B.

NOES.

Addy, Babu Amulya Dhone.	Mukerji, Mr. S. C.
Banerjee, Mr. A. C.	Nandy, Maharaj Kumar Sris Chandra.
Chakravarti, Mr. Syamhar.	Raikat, Mr. Prasanna Deb.
Gupta, Rai Bahadur Sasindra.	Salam, Khan Bahadur Maulvi Abdus.
Khaitan, Babu Debi Prasad.	Suhrawardy, Dr. A.
Moreno, Dr. H. W. B.	

The Ayes being 42 and the Noes 11, the motion was carried.

The amendment having been carried the original motion of Dr. H. W. B. Moreno that the Bengal Pasture Bill, 1926, as reported by the Select Committee, be taken into consideration, failed.

The Bengal Cattle Bill, 1926.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: I beg to present the Report of the Select Committee on the Bengal Cattle Bill, 1926, by Dr. H. W. B. Moreno.

Dr. H. W. B. MORENO: I beg leave to move that the Bengal Cattle Bill, 1926, as reported by the Select Committee, be taken into consideration.

My position in this Council with regard to the Bill must certainly remove from the minds of the members all apprehensions of Hindu sentiments or anti-Muhammadan sentiments. I move the Bill on grounds of economy and on those grounds alone. I eliminate from consideration any such sentiment that has been referred to in the past or might be referred to in the future. I do so, because the cattle of the land, as admitted on all hands, is deteriorating. Not only it is admitted by the people of the province but the Government have repeatedly expressed their feelings with regard to the condition of cattle. The Hon'ble Nawab Bahadur in answer to one of the questions said in this Council that there was a steady deterioration of cattle in Bengal and, indeed, he has put into operation a series of reforms for the improvement of the breed of bulls and, I understand, at the Rangpur farm they are trying to bring out strong and healthy bulls that would be more congenial to the climatic conditions of Bengal. Therefore, this is an admission that there is a steady deterioration of cattle and every attempt should be made to prevent the acceleration of the pace. Now, this Bill presents a very ready source of supply. Why don't the Government do something in this direction? It cannot be denied that before the time arrives for the Government to get a sufficient number of bulls especially suited to Bengal, in the meanwhile there will be necessity of having a source of supply that could provide for the cattle in the province. It has been admitted that when a cow is crossed by a good pedigreed bull, not only the male progeny becomes better draught cattle, but the female

progeny become better milkers. Therefore, there is necessity of having pedigreed bulls in sufficient number in the province. Now, what has been done in the past to meet this? From the early Vedic times it has been the custom amongst Hindus at ceremonies, such as *Sradhs*, to dedicate good bulls for the interest of the country itself. These are set free and are allowed to roam about the land and are thereby a means of improving the cattle of the land. Now, by a decision of the Calcutta High Court the whole thing has been negatived. The High Court has held that these Brahmini bulls set free at such ceremonies belong to no one; they could be used for any purpose, they may be even slaughtered without anybody being called to account. I should like to draw the attention of my Hindu friends that at the present time there is no remedy if a Brahmini bull set at large is slaughtered. In some of the suburban municipalities these Brahmini bulls are captured and yoked to scavenger carts and are made to do the work of dragging the scavenger carts—a more ignominious use they cannot be put to.

Now, Sir, a Bill of this kind will provide against that condition of things. It will help to protect such bulls and will help also to the maintenance of such bulls. It will give power to district boards to keep such bulls and hire out their services to the cattle of the villages. Therefore, those district boards which have not got a sufficient number of pedigreed bulls will through this Bill be able to maintain these bulls which are now set at large and have their services utilized and thereby improve the condition of the cattle of the country. When discussing this Bill in the committee stage I remember that one of the most acrimonious discussions centered round the destruction of the Brahmini bulls if it were found to be dangerous to human life. In the Bill itself there is a clause which provides that if a Brahmini bull happens to be dangerous to human life and not to property it may be destroyed by an Inspector of Police only after he has submitted a report of the occurrence to Government. The Hindu members of the committee felt that it would be a very heinous crime to have to kill a Brahmini bull under any circumstances whatever. The Muhammadan members of the committee felt—and I agree with their views—that there might be occasions when a bull might be actually dangerous to human life and under these circumstances liberty should be given to some responsible officers to destroy the animal. Now that the Bill is before the Council, if there are any reasonable suggestions calculated to render innocuous such bulls and to keep them apart, say, in a pound, I am willing to accept them provided they are practical, for I realise that in the Indian Penal Code there is a section (420F, I think) which provides that when an animal is dangerous it may be destroyed, but if an animal is destroyed which is not dangerous, the destroyer is held criminally liable. I will, therefore, rest on the provision laid down in the Indian Penal Code and not press for a section of this kind

being put forward if it meets the sentiments of certain members of the Council so that the Bill may be prevented from being wrecked altogether. My whole intention is to give facilities along the line of least resistance, to give facilities for the preservation of the valuable cattle which are now set at large and which are destroyed and sometimes used for wrong purposes altogether. I trust, therefore, that the members of this Council, both Hindus and Muhammadans, will see the reasonableness of my attitude. I am perfectly willing to go out of my way to meet their sentiments so long as these sentiments crystallise in some practical suggestion. My Muhammadan friends will please realise that there is nothing in this Bill tending to pander to the religious feelings of the Hindus but it is a Bill based entirely on economic grounds, and that it aims at the welfare of Muhammadans as well as of Hindus in that the cattle of the land might be preserved in order that the people of the land may be preserved in their turn. We all realise that it is the miserable condition of the cattle which is causing serious deterioration in the health and vitality of the people. I, therefore, appeal to the members of the Council and, along with them, to the Government, to accept the Bill, provided practical suggestions are put forward which may save the Bill from being entirely wrecked in this Council.

Mr. P. N. GUHA: I beg to move, by way of amendment, that the Bill as reported by the Select Committee be recommitted to the Select Committee, without limitation, with instructions to submit a fresh report for further consideration, quorum to be five.

Sir, I do not think that a more improper and more injudicious moment could have been selected for the enactment of a law like this. The whole country is aware that the tension of feelings that exists just now between the two communities is due mainly to two points and they are—music before mosques and cow slaughter. In the Bill introduced by my friend, Dr. Moreno, the Select Committee have kept the provision of the destruction of the Brahmini bulls intact. I think it is a most dangerous weapon. The power that is proposed to be given to certain officers to kill Brahmini bulls is really dangerous and is bound to raise communal feeling. Mischief-makers will always be at work to set up one against the other, the Hindu against the Muhammadan and the Muhammadan against the Hindu. As I have written in my note of dissent, we have heard a lot of cases in which fighting took place between the Hindus and Muhammadans over the question of cow slaughter, but I have not yet heard of any over the destruction of a Brahmini bull. The provision in this Bill may excite that fighting and that is what I fear. If I remember aright, all my Hindu colleagues in the Select Committee were of opinion that no reference to the Brahmini bull should be made, at least no reference to their destruction should find place in the Bill. The most peculiar

thing in the Bill is that it provides for the maintenance of Brahmini bulls on the one hand and arranges for their destruction on the other, a more preposterous position could not be thought of. I think the present position of the Brahmini bulls is quite all right and no case has been made out to meddle with it.

As regards the other things, the stud-bull and the breed of cattle, I think the provisions of the Local Self-Government and Municipal Acts are sufficient to be utilised in this direction. Therefore I hold that this Bill is not necessary. As I have said in connection with the Pasture Bill, I do not like to knock the whole thing down, because I am not opposed to the principle of the Bill and I want to give Dr. Moreno another chance of passing this Bill through the Council, if his constituents would permit him to do so. I, therefore, suggest that the Bill should be recommitted to the Select Committee. I have nothing more to add and I hope that this contentious Bill will not be allowed to be proceeded with at the present moment.

Sardar MAHAFEZUDDIN AHMED: This Bill as it stands is a mere apology for good sense. If the mover apprehends the extinction of Brahmini bulls I can say with authority that there is no reasonable cause for such apprehension. And if he aims at preserving the sanctity of such bulls, I think no case has arisen, demanding the legislature to lend its support towards such preservation at this inopportune moment.

If the mover thinks of improving the condition of cattle in the province, the idea is, no doubt, laudable, for care of dumb animals is one of the main factors of national progress; but the measure proposed, I can say confidently, will be least helpful towards achieving that end. If he thinks that bulls have become scarce in Bengal, he is hopelessly mistaken. Those that live beyond Calcutta, will, I am sure, testify to my assertion that owners of cows have no difficulty in getting them covered, owing to supposed want of bulls. What the province needs is a race of good bulls that by paradox are called "milkers." These will improve the progeny and the milk-yielding capacity in the cows. By compelling local bodies to maintain bulls and indiscriminate covering of cows, will no way help to better the condition of cattle in Bengal. To achieve that end it needs careful selection of "milker" bulls by experts and maintenance of only such bulls in large number throughout the province. But the cost will be enormous.

It may be said here that in the eighteenth century the condition of cattle in England was much inferior to Bengal both in average weight and milk-yielding capacity. But the Government of that country had by years of laborious research, active co-operation with farmers and by lending stud-bulls to them at premium so improved the condition of cattle in that country that they are probably now the best in the

whole of the world; whereas by centuries of neglect and the lack of scientific knowledge, the quality of cattle in Bengal has deteriorated to a deplorable plight, and unless the Government of this country likewise are prepared to pay handsomely towards the cost of procuring bulls and lend the services of experts for the scientific selection of bulls, it is beyond the capacity of local bodies or private individuals to select them scientifically or meet the expense of procuring such bulls.

The Bill, as it is presented, does not in the least make provision for these methods and expenditure, and I am afraid the Government are not yet prepared to act on the lines suggested by me, and so the Bill should in my opinion be dropped.

Dr. H. W. B. MORENO: I have very little to say in reply to what the critics of the Bill have said except this, that Mr. Guha spoke about cow slaughter being the burning question of the day. I credited Mr. Guha with more up-to-date knowledge with the facilities that he has at his elbows, and I feel he has shown some slight error in knowledge when he spoke of the cow slaughter being the burning question of the day. I think the burning question of the day is the eternal question of music before mosques. However, I appreciate his very sympathetic attitude towards me when he desires that this Bill should be laid before the next Council and not to strangle it in a rude and unmannerly fashion. Whichever it is, I realize what the consequences will be.

With regard to the destruction of bulls which are dangerous to human life Mr. Guha attempts to say that I attempted to take away with my left hand what my right hand gave. It is not so. If he studied the provision for the destruction of Brahmini bulls he will see that it is only those bulls to be killed that actually attempt to destroy human life. Mr. Guha, I am sure, has not yet been chased by an infuriated bull across the meadow, when probably he would have to clear one or two fences in very good time. If he had this experience he would desire the destruction not only of that bull but of every other similar kind of bull in the land. I do not wish to enter into those points which are irrelevant to the question at issue, but I so say this, that I do not quite realise what is the attitude of Government with regard to the Bill. I have had no opportunity of hearing the Hon'ble Member in charge of the Bill. But if the attitude of Government is that the Bill should not be accepted, I am afraid I shall have no other course than to accept Mr. Guha's charitable request to me rather than court defeat in this rump of a Council that we have here sitting.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: As Member in charge of the Bill in the Select Committee I have already appended a minute of dissent to the principle

of the Bill as it has emerged from the Select Committee, and I would now most emphatically oppose it on behalf of Government. My reasons for opposing it are mainly two-fold. In the first place, the Bill is unnecessary, and secondly it is positively mischievous in view of the present circumstances of the country.

I would first try to show that the Bill is quite unnecessary. The two-fold objects of the Bill are—

(*1*) to protect Brahmini bulls in the interest of breeding; and

(*2*) to impose upon local authorities an obligation to maintain a specified number of stud-bulls.

So far as Brahmini bulls are concerned, their number is so few and they are so useless for breeding purposes that it is not worth while taking up legislation for protecting them in the interest of breeding.

As I pointed out in my speech in the Council last month, it is noteworthy that in any scheme for the improvement of the breed of cattle a careful selection of stud-bulls of good pedigree is the first essential; and, in fact, it is now held by the experts that a good milking strain is prepotent in the sire. It is therefore quite evident that Brahmini bulls, however useful they might have been in the past, are no longer of any great importance for breeding purposes.

Next, with regard to the obligation to be imposed on local authorities to maintain a minimum number of stud-bulls; it seems doubtful whether it would be advisable to place on union boards, which are in their infancy, any statutory obligation of a hard-and-fast nature in regard to the maintenance of stud-bulls, as these bodies already find themselves hard put to it to discharge the manifold duties imposed on them by the Village Self-Government Act.

As I have mentioned in my minute of dissent, Sir, under the present law, local authorities have ample power to maintain stud-bulls, and Government's taking power to prescribe a minimum number of stud-bulls which the local authorities should be required to maintain would be an undue interference with their discretion.

With regard to the mischievous nature of the Bill, it is only necessary to glance at the minutes of dissent recorded by the various non-official members which show an extraordinary divergence of opinion on communal lines. The Bill was originally drawn up by Dr. Moreno two years ago when the communal atmosphere in the country was free from any severe tension. Even at that time, however, it was apprehended that certain provisions of the Bill might lead to feelings of religious animosity between different sections of the people of the province. At the present time, however, the enactment of such a provision as contemplated by clause 4 of the Bill, nay, even the discussion

of such provisions, would be most unfortunate in the best interest of the country. It would, in fact, provide a veritable apple of discord which would serve as a fresh and fruitful source of bitterness nullifying the work of peaceful settlement which has been in progress during the last few weeks.

I do not think, Sir, that it is necessary for me to say anything more on this point as I believe that the members of the Council of all shades of political opinion are convinced of the seriously contentious nature of the provision of clause 4 and of the extreme undesirability of having such a measure placed in the Statute Book in the present state of communal feelings and I would therefore appeal to the Council not to proceed further with the consideration of an enactment which is as unnecessary as it is objectionable.

Mr. PRESIDENT: It has been brought to my notice that Dr. Moreno in referring to this Council in his speech used the words "rump of a Council." I consider that to be a reflection on this House and I shall be obliged if he will kindly withdraw it.

Dr. H. W. B. MORENO: Certainly: I withdraw it.

The motion of Mr. P. N. Guha was then put and lost.

The motion of Dr. H. W. B. Moreno that the Bengal Cattle Bill, 1926, as reported by the Select Committee, be taken into consideration was then put and lost.

[The Council then adjourned for ten minutes.]

(After the adjournment.)

The Wagering Associations Bill, 1926.

Babu DEBI PROSAD KHAITAN: Sir, after I sent notice of this motion I have had a talk with the Hon'ble Mr. J. Donald, who advised me not move this motion in view of the fact that the Council is going to be dissolved and on the dissolution of the Council any Select Committee that may be appointed will cease to exist. This Bill relates to a very important matter and in the circumstances I would prefer not to move this motion.

The following motion was called but not moved:—

Babu DEBI PROSAD KHAITAN to move that the Wagering Associations Bill, 1926, be referred to a Select Committee consisting of the Hon'ble Mr. J. Donald, Mr. M. C. McAlpin, Mr. D. C. Patterson, Mr. R. B. Wilson, Mr. R. H. Child, Rai Badridas Goenka

Bahadur, Rai Abinash Chandra Banerjee Bahadur, Babu Amulya Dhone Addy, Mr. D. J. Cohen, Mr. P. N. Guha, Babu Jatindra Nath Basu, Mr. Tarit Bhusan Roy, and the mover, with instructions to submit their report as soon as possible and that the number of members whose presence shall be necessary to constitute a quorum shall be five.

The Bengal Fish Fry Preservation Bill, 1925.

The following motion was called but not moved:—

SHAH SYED EMDADUL HAQ to move, under the proviso to Standing Order 6 (2), that the Bengal Fish Fry Preservation Bill, 1925, be continued.

The following motion failed:—

If motion No. 19 be carried, also to move that the said Bill be referred to a Select Committee consisting of the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur, Khan Bahadur Kazi Zahirul Haq, Maulvi Tayebuddin Ahmed, Maulvi Sayyed Sultan Ali, Maulvi Fazlal Karim Chowdhury, Khan Bahadur K. G. M. Faroqui and the mover, with instructions to submit their report as soon as possible and that the number of members whose presence shall be necessary to constitute a quorum shall be three.

The Bengal Village Self-Government (Amendment) Bill, 1925.

SHAH SYED EMDADUL HAQ moved that under the proviso to Standing Order 6 (2), the Bengal Village Self-Government (Amendment) Bill, 1925, be continued.

The motion was then put and agreed to.

SHAH SYED EMDADUL HAQ moved that the Bill be taken into consideration. He spoke in vernacular. The English translation of his speech is as follows:—

Sir, the Government maintain that by the Village Self-Government Act they have given us self-government. But we find that in reality the power and control lie in the hands of the executive authorities of the district. Hence it has been proposed in the Bill to dispense with the nominations and to delete the name of the District Magistrate, wherever it occurs and to substitute therefor the name 'District Board' and to transfer the control and authority to it.

Similarly to give relief to the poor village people who are labouring under the burden of taxes it has been proposed to amend the existing clause, providing for the imposition of a penalty of 8 annas in the event of their making default to pay the taxes and to substitute therefor a fine of 1 anna only. The Bill also makes provision for providing grazing lands, education, sanitation, hakimi and kaviraji treatment, etc. It also proposes to give the right of voting to those persons who pay taxes of 8 annas instead of Re. 1 as provided now. The villagers have to meet the salaries, costs of clothing, etc., of the chaukidars so the latter should be responsible to the Union Board and would be controlled by it and not to and by the police.

Under the present rules many rich zamindars who have large properties situated within the Union cannot be taxed as they have no permanent cutcherry there. So to remedy this defect, but at the same time making adequate safeguards that they might not be taxed unnecessarily and unjustly, it has been introduced.

The funds of the District Boards are made up by the money received from the Union Boards. But it is a matter of regret that in many cases the Union Boards do not receive any money from the District Boards even for the most useful purposes. Therefore it has been sought to make it obligatory on the part of the District Boards to supply money to the needy Union Boards to carry on works which are conducive to the welfare of the villages.

A Bill almost similar to this was introduced in 1923 and most of the District Boards gave their opinion in favour of that. But when the motion to refer the matter to a Select Committee came up for consideration, some Muhammadan members objected to the power and control being transferred from the Magistrate to the hands of the Chairman of the District Board on the ground that most of the Chairmen were Hindus and it was lost. So in this Bill avoiding the word 'Chairman' the word 'District Board' has been used. We are not aware what is the intention of Government. They are not moving any amendment, but are often putting obstacles to the non-official Bills on various pretexts. I have done my duty in briefly stating the object for bringing this motion and now let the Council decide the matter.

Babu AMULYA DHONE ADDY: I do not like to move the amendment which stands in my name, but I oppose the Bill. Sir, no Bill should be taken into consideration unless and until public bodies are consulted in the matter. It appears that union boards are vitally interested in the question under discussion and, therefore, this Bill should on no account be taken into consideration unless and until their opinion is obtained on the subject. Sir, I have gone through the provisions of the Bill most carefully and I find almost all the clauses of the Bill are highly objectionable. Under clause 4, it is proposed

that if a person pays one rupee as tax, even 20 years ago, he would be entitled to vote. Then under that clause it is also proposed to lower the franchise from one rupee per annum to annas eight per annum. Sir, I need hardly say here that the lower the franchise the greater is the corruption. It is proposed to tax owners of estate as well as of tenure-holders; while under the Act itself, it is only the owners and occupiers of buildings who can be taxed. Then, Sir, under section 38 of the Act—I mean the Village Self-Government Act—there is a limit of taxation and the maximum is Rs. 84 for every person, but it is now proposed to reduce it to Rs. 40 per annum. We all know that under the Calcutta Municipal Act there is no limit of taxation It depends entirely and solely on valuation. If you limit taxation, the result will be that the poor people will suffer the most. Under section 41 of this Act if a person fails in the payment of tax he shall have to pay a penalty of annas eight per rupee. My friend proposes that, under clause 16, the penalty may be reduced to only one anna per rupee. Sir, if this change is given effect to, the result will be disastrous. Union boards would not be able to collect taxes and consequently they will not be able to discharge their duties properly.

Mr. P. N. GUHA: Sir, I do not like to move the amendment that stands in my name.

The following motions were called but not moved:—

Babu AMULYA DHONE ADDY to move, by way of amendment, that the Bill be circulated for the purpose of eliciting opinion thereon within one month from the 16th August, 1926.

Mr. P. N. GUHA to move, by way of amendment, that the Bill be circulated for the purpose of eliciting opinion thereon within two months from the 16th August, 1926.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia: Sir, while sympathising with Shah Syed Emdadul Haq I regret that I must oppose the motion to take this Bill into consideration. We have quite recently had a Select Committee considering another Bill for the amendment of the Village Self-Government Act and their report has already been considered by this House. I am sure many members of the Legislative Council will agree that piecemeal amendments of an important Statute like the Village Self-Government Act are not advisable and I would go so far as to add that if any wide changes are required in a law of this kind, it is desirable that pressure should be brought on Government to initiate legislation rather than initiative should be taken by private members. It cannot be urged that any of the proposals contained in Shah Syed Emdadul Haq's Bill are matters of urgency, and having regard to the fact that the Village

Self-Government Act has been in operation for only a few years, I think it is premature to make the important changes for the transfer of control from the local officers to local bodies which certain clauses of the Bill propose. I do not propose at this stage to deal with the Bill in detail, but I must refer to certain matters with which it deals in order to show that many of the amendments are quite unnecessary, while others deal in far too summary a manner with the principles on which the Act is based. As regards the first kind of amendment it is surely unnecessary to provide by Statute that the President of a union board shall be given an opportunity of making an explanation before he is dismissed from his appointment. Every one is aware that even the humblest servant of Government is given every opportunity of explaining away the charges made against him before an order of punishment is finally passed, and on the face of it it seems absurd to make definite provision for such a procedure in the Statute. Again, what immediate necessity is there for fixing a shorter or longer period than the Act provides for carrying out orders issued by an authority under the Act? The precise period which meets the case is largely a matter of opinion and every one knows that a liberal interpretation is usually allowed in such cases and there can be no justification for piecemeal amendments of an important Act in trifling matters of this kind. Take again clause 11 of the Act which would authorise union boards to place medical practitioners of the indigenous systems—Unani or Ayurvedic—in charge of dispensaries. The phraseology of the Act is already sufficiently wide so as to leave the union board with ample discretion in this matter and the proposed amendment is absolutely unnecessary for achieving the object desired by the author of this Bill.

As regards the other class of amendments—I mean those which involve some considerable change in the principles on which our present system of village self-government is based—I am referring to clause 3 which proposed to have the appointment of members of the union board made by the district board rather than by the District Magistrate. Such appointments must be made by a person who has considerable local knowledge and the District Magistrate obviously must rely very largely on his Circle Officer's report in deciding which villagers should be selected to serve on the union boards. There may be several hundred such boards in a district and it is obviously impossible for the district board to have any intimate knowledge of the qualifications of the rival candidates. They, like the District Magistrate, would have to rely very largely on the reports of the Circle Officers and a committee such as the district board is surely not the best agency for selecting good local representatives in the different unions. As a matter of fact the District Magistrate already under the orders of Government always consults Chairmen of the District boards in making these appointments and no further change in that system seems to be justified. Finally, I may refer to clause 15 of the Bill which would give the District Magistrate

and the Chairman of the district board co-ordinate powers in revising the assessment of the union rate. Obviously this clash of authority is bound to prove unworkable.

In the result the Bill seems to me to be unnecessary, ill-advised and badly thought out, and I feel sure that the Council will refuse to waste its time in considering a measure of this kind.

The motion of Shah Syed Emdadul Haq that the Bill be taken into consideration was then put and lost.

The Calcutta Municipal (Amendment) Bill, 1926.

Dr. A. SUHRAWARDY: I beg to move for leave to introduce a Bill to amend the Calcutta Municipal Act, 1923.

The motion was put and agreed to. The Secretary then read the title of the Bill.

Dr. A. SUHRAWARDY: I beg to move that the Calcutta Municipal (Amendment) Bill, 1926, be taken into consideration.

In moving this motion I desire to point out to the House that the main object of the Bill is to restore what may be called the *status quo ante*. I wish to remind the House that in 1923 Garden Reach and Cossipore-Chitpore formed two independent municipalities, that in 1923 public opinion was strongly against the inclusion of Cossipore-Chitpore nd Garden Reach areas within Calcutta, and that in 1923 the motior for the inclusion of these two areas within Calcutta was carried by the very narrowest of majority in the teeth of opposition and against the recommendation of the Special Committee appointed by Government for the purpose. As a matter of fact, it was by a majority of one vote only, if I am not mistaken, that the motion for the inclusion of Cossipore-Chitpore within Calcutta was carried, and that was also due to a curious mistake. Babu Surendra Nath Ray after delivering a strong speech against the inclusion of Cossipore-Chitpore within Calcutta went into the wrong lobby and voted for its inclusion. I think that fact is recorded in the proceedings. If the case against the inclusion of Cossipore-Chitpore and Garden Reach areas within Calcutta was strong in 1923, it has become stronger in 1926. Three years' experience has brought wisdom to the authorities of the Calcutta Corporation, who were then anxious to extend the bounds of their new empire but are now willing to exclude these areas, and so far as the rate-payers of these added areas are concerned, they are groaning under heavy taxation for the privilege of being included within Calcutta. They have to pay the taxes of Chowringhee, while they enjoy the amenities of Timbuctoo. The amalgamation of these two areas has not been of advantage either to old Calcutta or the inhabitants of the added areas.

I find that my friend, Rai Harendranath Chaudhuri, who had given notice of introducing a Bill in the last session of the Council to exclude Cossipore-Chitpore from Calcutta, is present here to-day, and I also find that the representatives of Cossipore-Chitpore and Garden Reach areas are present here. I therefore do not wish to inflict a lengthy speech. I leave it to them to support or oppose my Bill. I only submit the Bill for the consideration of the House.

Babu AMULYA DHONE ADDY: I beg to move, by way of amendment, that the Calcutta Municipal (Amendment) Bill, 1926, be circulated for the purpose of eliciting opinion thereon within one month from the 16th August, 1926.

I fully sympathise with the residents and rate-payers of Cossipore and Garden Reach. When the Calcutta Municipal Bill, which has been enacted into the present Calcutta Municipal Act, was under consideration of this Council, I was dead against the amalgamation of Cossipore, Garden Reach and Maniktala with Calcutta. So far as Cossipore is concerned, I definitely remember that Government was strongly opposed to its amalgamation with Calcutta, and the Boundary Committee which was appointed by Government and which was presided over by the Hon'ble Mr. S. R. Das, expressed the opinion that Cosispore should not be amalgamated with Calcutta; and I also distinctly remember what the Hon'ble Sir Surendra Nath Banerjea stated at the time. He stated that the sanitary condition of Cossipore was better than that of Calcutta, and therefore there was no necessity for the amalgamation of Cossipore with Calcutta. But I move this amendment so that we may have public opinion in this matter. It is proposed in the Bill to exclude Cossipore and Garden Reach and not Maniktala. If it is desirable to exclude the newly-added areas from Calcutta, then why not exclude Maniktala as well? I entirely agree with the mover of the Bill that the taxation on the rate-payers of the added areas is prohibitive, but at the same time I must say that circumstances have materially changed since the amalgamation of these areas with Calcutta. The Calcutta Corporation have just sanctioned a scheme for the drainage of the whole of Calcutta including these areas at a cost of Rs. 1,70,00,000. Their estimate for the improvement of the supply of filtered water in the town proper was Rs. 2 crores, but I am informed that they have increased the estimate to Rs. 3 crores simply with a view to give additional supply of filtered water to the newly-added areas, namely, Cossipore, Maniktala and Garden Reach. Therefore, under the circumstances I fail to see what I should do unless and until I am favoured with public opinion. I admit that the Council will be at an end after a few days, but the new Council may take this fact into consideration and come to a definite conclusion after ascertaining the views not only of the residents of the localities affected, but also of the public at large and especially the Corporation of Calcutta.

Rai HARENDRANATH CHAUDHURI: I rise to support the motion that has been moved by Dr. Suhrawardy, that the Calcutta Municipal (Amendment) Bill be taken into consideration. I congratulate Dr. Suhrawardy that his Bill has received ready admission at the hands of the Legislative Department which was responsible for blocking the way to the introduction of a similar Bill for at least four months. Now that Dr. Suhrawardy has got an opportunity of introducing this Bill, I think the members of this Council will be justified to remedy one of their past mistakes. Sir, I think the old members of this Council will remember clearly under what circumstances the added areas of Cossipore-Chitpore and Garden Reach were included within the ambit of the Calcutta Corporation. Mr. Addy has reminded us that the Amalgamation Committee was opposed to the idea of including Cossipore-Chitpore in Calcutta. That was the idea of the then Ministry of Local Self-Government and Sir Surendra Nath Banerjea himself was opposed to the idea of the amalgamation. Strangely enough, his party went *en bloc* into the other lobby, and to the misfortune of the people of Cossipore-Chitpore, the area was included within Calcutta. It is, no doubt, a good sign of the times that many of those who voted for the inclusion now acknowledge their mistake and are now prepared to support a Bill for the exclusion of Cossipore-Chitpore and Garden Reach from Calcutta. Now, Sir, there can possibly be no objection to such a measure when the people of Cossipore-Chitpore and the added areas really desire exclusion from Calcutta. It is widely known that the people of the added areas were opposed to the inclusion of these areas, and are still opposed to it. It is also widely known that they have not substantially been benefited by their inclusion in Calcutta during the last two or three years. I do not know what objection, if any, Government is going to take to this measure; but I think Government will not be justified in throwing it out on any such score that the Bill is going to be introduced at the fag-end of the life of the present Council and Government have not had sufficient time to consider the effects of the Bill. A similar Bill was before Government for at least three months—it may not have been under the scrutiny of the very department over which the Hon'ble Maharaja Bahadur presides, but still it was within the cognizance of the Government. When in November last I sent notice of my intention of introducing such a measure with regard to Cossipore-Chitpore, the first objection that was raised by the Legislative Department——

Mr. PRESIDENT: Order, order. Will you kindly refer to the subject-matter now under discussion?

Rai HARENDRANATH CHAUDHURI: May I not be permitted——

Mr. PRESIDENT: I do not think it would be quite proper for you to refer to anything else except the subject under discussion.

Rai HARENDRANATH CHAUDHURI: Am I barred by the rules from referring to the matter?

Mr. PRESIDENT: I think any reference to what took place between a member and the Legislative Department in connection with the present matter is entirely out of order. I would ask you to refrain from referring to it.

Rai HARENDRANATH CHAUDHURI: I bow to your ruling, Sir. With your permission I might explain the relevance of the reference.

Mr. PRESIDENT: I am sorry I cannot enter into a discussion on the point of order I have given.

Rai HARENDRANATH CHAUDHURI: However, the point is that Government will not be justified now to say that the Bill has been brought forward at the fag-end of the life of the present Council and that Government have not had sufficient time to consider the effects of such a Bill. In some way or other the Bill was before the Government and that for a long time—and that is my point.

Then, Babu Amulya Dhone Addy has brought forward a motion for the circulation of the Bill. Mr. Addy has admitted that he was all along opposed to the inclusion of the added areas in Calcutta. He has admitted that the people of those places have not been sufficiently benefited by their inclusion in Calcutta. He has also admitted that he knows that the people of the added areas were and are opposed to their inclusion in Calcutta: and yet he says that the Bill ought to be circulated for eliciting public opinion. I think if that motion be carried, it would be the best way of defeating this Bill and shelving it at least for some time to come. I would, therefore, request the Council not to admit Mr. Addy's motion. If they are really inclined to remedy their past mistake, if they really sympathise with the people of those places in their distress consequent upon suddenly increased and heavy taxation, then I would request the members of this Council not to accept Mr. Addy's motion, but to give their whole-hearted support to Dr. Suhrawardy's Bill.

Mr. P. N. GUHA: I want to make it clear that when I tabled my amendment, my intention was that no Bill should be rushed through in one sitting of the Legislative Council, but since then I have ascertained that the people concerned, *i.e.*, the people living in the areas which comprised the old Cossipore-Chitpore and the Garden Reach municipalities, are themselves willing to be separated from Calcutta and the members of the Bengal Legislative Council who are in the

Calcutta Corporation, are also in favour of this change. It is for these reasons that I do no wish to move my amendment. I did not mean to shelve the Bill by adopting obstructive tactics. I make this statement to make the position of the Liberal party, of which I am the Secretary, clear.

Mr. MAHBUBUL HUQ: Sir, the mover of this Bill, my esteemed friend, Dr. A. Suhrawardy, has invited us to express our opinion on the desirability of excluding Cossipore-Chitpore and Garden Reach from the ambit of the Calcutta Corporation and I readily accept that invitation. My friend, Rai Harendranath Chaudhuri, has already pointed out the injustice done to the inhabitants of Cossipore-Chitpore by including that place within the Calcutta Corporation, and I do not wish to take up your time by dilating on that particular aspect of the question. As regards Garden Reach, where many of my constituents live, I may say that the rate-payers of that place are smarting under a sense of great injustice done to them. This step on the part of the old legislature was taken in opposition to the united wishes of the rate-payers of that place. Meeting after meeting before and after the passing of the Act was held protesting against its inclusion within the Calcutta Municipality. The rate-payers there are proverbially poor and cannot pay the high rate of taxation which was inevitably due on account of its inclusion in Calcutta. The area of Garden Reach is in a very undeveloped state and three-fourths of that area consist mostly of jungles, ponds, bogs and paddy fields. I cannot conceive how such an undeveloped area came to be amalgamated with Calcutta. If it was the idea that by incorporating this place within Calcutta the Calcutta Corporation would get additional taxes, I think that hope has been dashed to the ground: on the contrary the Corporation has been spending lakhs and lakhs of rupees over this area, and the results are not yet forthcoming: it will take long, long years to reap the benefit of this large expenditure. If it was the intention of the legislature that no additional taxation should be imposed on the rate-payers for some years, then I think the area of Garden Reach should now be promptly excluded from Calcutta. Besides, the rate-payers of Garden Reach cannot enjoy for many years to come those amenities which the rate-payers of Calcutta enjoy. The Commissioners of the old Garden Reach Municipality did their level best to improve the condition of the place as far as possible. When the Calcutta Municipal Bill was on the anvil of the legislature, it was the intention of the late lamented Sir Surendra Nath Banerjea to exclude Garden Reach from Calcutta, but Babu Surendra Nath Mallik, the then Chairman of the Corporation, expressed the opinion that such a place, which was not at all sanitary, should not be allowed to exist near about Calcutta. If that was the case and if the rate-payers of Garden Reach who are called upon to pay increased rates of taxes cannot enjoy the facilities which the people of Calcutta enjoy, then it must be admitted that a great

injustice has been done to them. The population of Garden Reach are mostly Muhammadans who are tailors by profession and they live from hand to mouth, and if they are called upon to pay increased rates of taxes at 50 per cent. or 100 per cent., their hardship can better be imagined than described. I, therefore, commend the Bill to the honourable members for acceptance so that it may be passed within the life-time of the present Council.

Babu JATINDRA NATH BASU: Sir, the constitution of a municipality is meant to benefit the area over which the municipality has control. Let us consider as to what has been the effect of the inclusion of these outlying municipalities within the bounds of the Corporation of Calcutta. One of the effects has been that the taxes have gone up considerably. The rate-payers of these municipalities have to pay much heavier taxes than they had to pay when they had a separate existence of their own. As regards other conveniences of municipal life like the opening out of undeveloped areas, the improvement of roads, the laying of sewerage system, the improvement of water-supply, these areas remain almost exactly in the same condition in which they were three years ago, and it is not known as to when they will come up to the level of the Calcutta municipal area proper. But in the meantime they will have to pay taxes at the very high rate to which they have been assessed after their inclusion within the Calcutta Municipality. There was expectation when the proposal was first made for the inclusion of these areas that much greater attention than has hitherto been given to these areas would be given them after their inclusion in Calcutta. But as frequently happens the result of the inclusion of these areas has been the over-centralisation of municipal administration and the outlying areas have been neglected. The proper remedy probably would have been to constitute these outlying areas into separate boroughs having their own taxation and looking after their own needs, but combined in a central administration which had its main sewerage system, main lighting system, main drainage system, and some other central systems, and the expenses of those systems and of the central body might have been met by contributions from these smaller boroughs or municipalities. That is the real solution; otherwise, it is a great hardship on the people who live under conditions which are exceedingly backward. Mr. Mahbubul Huq has pointed out that a great part of Garden Reach consists of ponds and large areas are without any roads and without any sewers. The same may be said of Cossipore-Chitpore. Why then should these people pay rates on the same basis and on the same scale as the people who live in the most highly developed parts of Calcutta? To thus force them for years and years to pay higher rates, without any benefit being conferred on them, would be an act of injustice. When the proposal was made three years ago, I was inclined to think that the Corporation of Calcutta

would pay greater attention than has been given to the areas that were going to be united with them. But these expectations have not been justified. I support the motion of Dr. Suhrawardy.

Babu DEBI PROSAD KHAITAN: I am rather surprised that this Bill has been introduced in this Council at the fag-end of its life. Dr. Suhrawardy now proposes that the municipalities or rather the areas which used to be within the municipalities of Cossipore-Chitpore on the one hand and Garden Reach on the other—north pole to the south pole—should be taken away from the Calcutta Corporation. When the proposal to include these suburban municipalities within the Calcutta Corporation was first mooted, the question as to whether immediate steps could be taken for the development of those parts was fully considered. It was well known at that very time to the members of this House that it would not be possible for the Calcutta Corporation immediately to take into hands steps to confer on the people living in those areas the same amenities of life which were conferred on the people of Calcutta living within the Calcutta Corporation.

There can be no doubt whatsoever that the Corporation of Calcutta has been able to render the people within its jurisdiction much better amenities of life than the Municipality of Cossipore-Chitpore on the one hand and that of Garden Reach on the other could confer on the inhabitants of those localities. There is no ground whatsoever that these people should be impatient. If it be said that simply because the Corporation of Calcutta has not been able up till now within three years of its taking up the added areas to render amenities which are available to the people of Calcutta it may as well be said that several parts under the Calcutta Corporation should be removed from its jurisdiction because places like Burrabazar and other areas under the Calcutta Corporation do not enjoy the same amenities as the people living south of Park Street enjoy. That argument cannot hold good at all. What is to be done? We should devise ways and means by which Calcutta can be extended in order that poorer people who cannot pay high rents in Calcutta could be shifted to outlying tracts which may be extended and widened after these places have been properly developed. The Calcutta Improvement Trust, I understand, is going to do something for the improvement of the Cossipore-Chitpore area, and it is in the fitness of things that when the Calcutta Improvement Trust is going to improve that locality it is desirable that this area should remain within the Corporation of Calcutta, and as time passes, there can be no doubt that the Corporation will be able to spend a larger amount of funds for the improvement of those localities than it has hitherto been able to do. Now, unless the Cossipore-Chitpore area and the Garden Reach area be kept within the jurisdiction of the Corporation of Calcutta I do not see how Calcutta will be able to extend itself, while it will be recognised on all hands that it is absolutely

necessary for the health and sanitation of the city in order to prevent overcrowding in the city itself that Calcutta should be widened. For these considerations it is desirable that Cossipore-Chitpore and Garden Reach municipal areas should continue within the jurisdiction of the Corporation of Calcutta. The proper remedy for the grievances that have been ventilated in this House is not to take away those localities from the jurisdiction of the Calcutta Corporation, but to devise ways and means whereby a larger amount of money could be expended for the benefit of the population living within those localities. I quite sympathise with them that, although their rates and taxes have been increased, that increased amount is not spent for them.

When this scheme was originally formulated there was a discussion with Mr. Payne, who was then the Chairman of the Corporation, and members agreed that the proper course was gradually to decentralise the powers that were exercised by the Corporation itself. They decided—and I entirely agree with them—that in course of time the administration of the Corporation of Calcutta for purposes common to the whole area should remain only within the central municipal corporation. As regards the other powers, for example, the construction of roads, maintenance of schools and similar other matters, they should be made over to district committees so that there might be decentralisation of powers and funds should be allotted to the district committees. With this end in view some decentralisation of power has already been carried out in the present Calcutta Municipal Act. The idea was that some further decentralisation should be carried out in order that the localities which paid high rates and taxes might not be debarred from the benefits by reason of that amount being spent elsewhere. In these circumstances the attempt of Dr. Suhrawardy and his supporters should be to ask for further decentralisation of powers and not to take away the areas necessary for the development of Calcutta and for that purpose to remain under one common authority, namely, the Corporation of Calcutta.

Babu BEJOY KRISHNA BOSE: I rise to support the motion of Dr. Suhrawardy. To me the charm of a greater Calcutta is gone. I speak here both as a member of the old Corporation as well as of the present one. My friend, Mr. Khaitan, made his speech as if he was still a member of the old Corporation. When I was a member of the old Corporation the Municipal Bill was discussed at several meetings of a Special Committee of which Mr. Khaitan and myself were members. We discussed the provisions of the Bill and though we were charmed with the idea of a greater Calcutta as pictured to us by Mr. Mallik we never supported the idea, but all on a sudden as if by a snap vote it was carried in this Council and Cossipore-Chitpore and Garden Reach areas were foisted upon Calcutta proper. At the present moment in

Cossipore-Chitpore, Garden Reach and Maniktala, not a single rate-payer is willing to remain within the jurisdiction of the Calcutta Corporation. Ask the representatives who are returned by the people of those places and those representatives who are our colleagues in the Corporation are opposed to this amalgamation, with the exception, perhaps, of only one. If you go to Garden Reach—my friend, Mr. Khaitan, may have gone there in his motor car, there is only one big road there, but I am quite sure he has never entered the interior of the Garden Reach Municipality—you will find that it is no better than the malarious tracts one is familiar with in the interior of Jessore district. But the argument will be—why not improve it?

Babu DEBI PROSAD KHAITAN: That is just why we want it to remain within the Calcutta Corporation.

Babu BEJOY KRISHNA BOSE: I daresay my friend never entered the area which I am depicting now. The areas in the old Garden Reach Municipality are inhabited by poor Muhammadans—mostly tailors in the most precarious condition—and they could not pay their taxes even if reduced; their sewing machines are attached, their utensils are attached by our bailiffs. Every day these people come to us and complain 'We do not want to remain within the Calcutta Corporation; pray, separate us from Calcutta.' What does the Corporation of Calcutta gain? Do we gain anything? Do we get any return from these areas? We are spending lakhs and lakhs for the improvement of these areas but do we get anything in return? It is a burden upon the Calcutta Corporation which it cannot bear. And if Garden Reach remained a part of Calcutta it will take a decade, rather a generation to improve that area by means of increased taxation which the people cannot bear. If you look to Cossipore-Chitpore you will find that there are several mills there, but the people are in the same condition as in Garden Reach; in some cases the taxes have gone up by 100 per cent.

Mr. D. N. ROY: Not in some cases, but in many cases.

Babu BEJOY KRISHNA BOSE: My friend who lives in Cossipore-Chitpore reminds me that there are many such cases. It is all very good to say that greater Calcutta will try to improve these areas, but when will it do so? Not till Doomsday. My friend, Mr. Khaitan, proposes to find ways and means. I shall be very glad if my friend can devise ways and means. He has proposed as an antiquated member of the Calcutta Corporation to give money to district committees to improve these areas. He has no knowledge of the actual working of the new Act during these three years. He does not know our difficulties and our commitments. But where shall we get the money? Where is the money to come from? Perhaps those on the Government

benches will say "work up to the maximum limit of taxation of 23 per cent." Mr. Donald the other day increased our taxes by half per cent. Why should we increase the tax on Calcutta in order to improve Cossipore-Chitpore and Garden Reach and Maniktala? Have you seen the drains in the Cossipore-Chitpore area? They are 9 or 10 feet wide, full of filth and dirt. My friend, Mr. Banerjee, says that that is all the more reason why we should retain it within the Calcutta Corporation. It is to the benefit of the Improvement Trust that these areas should remain within the Calcutta Corporation. You may say that the drains might be improved at a cost of Rs. 3 or 4 crores. But where would the money come from? Increased rates and taxes? Are you friends of the citizens of Calcutta? Are you, gentlemen, friends of the people of the outlying areas? You come to increase their taxes from 20 to 23 per cent. You welcome increase of taxes to even 100 per cent. in the added areas. You are all rich men here; you can pay higher taxes. But what of the poor people living in Cossipore-Chitpore and Garden Reach? It is all very good to say "beautify Calcutta, make a bigger and greater Calcutta." All these are very good things to say here. If you exist for the people and look to their wishes, pay heed to their grievances but it is no good to say that you want to improve Calcutta by improving those areas. I know the views of my friend, Mr. Banerjee, who is chafing with anger. He is now living in an area which was outside Calcutta some years ago and which was added to Calcutta in 1888. At that time about three or four square miles—I speak subject to correction—were added to Calcutta. It has taken 40 years to improve somewhat these three and a half square miles. Now we have added something like 16 to 17 square miles and at that rate you will require 120 years to improve the area, by which time Mr. Banerjee's grandson will be gathered to his fathers. I therefore support the motion of Dr. Suhrawardy and oppose that of Babu Amulya Dhone Addy for circulation. I want this Bill to be taken into consideration to-day and passed. Rai Harendranath Chaudhuri (I am sorry, he is not a Bahadur yet) says that Government may oppose the Bill, because they may say that they have not considered the effect of the Bill. I submit that Government need not consider the effect of the Bill. It is a question for the Calcutta Corporation; it is a question for the people who are concerned and not for the Government. If Government exist for the people I appeal to them and the Maharaja to consider the grievances of the people of those areas, to consider the grievances of the Calcutta Corporation who cannot take upon themselves the burden of this improvement. You can reject the Bill here, Government may veto it, but the curses of Calcutta and the outlying population will be upon you if you do so.

Maulvi WAHED HOSSAIN: I rise to support the Bill which has just now been moved by Dr. Suhrawardy and oppose the motion of

Babu Amulya Dhone Addy. One thing has been said that if the two poles north and south be taken away what would remain of Calcutta? I say we shall live in the Equator. If the two poles go out, the Equator will be there and we shall live in the bustle and din of the commercial quarters of Burrabazar. I would ask my friend to answer one question: Are you morally justified to tax a people without giving a certain area a drop of water? Are we justified in taxing the poor people living in huts and hovels in order to beautify Calcutta and other places, and ask them to live in insanitary hovels so that in future they may enjoy the amenities of Calcutta. Is it not equitable, Sir, I ask to reduce taxation in the Bill itself—not this Bill—the previous Bill, passed into Act, taking into consideration the fact that gradual improvements require gradual taxation. That has not been done: on the contrary, all on a sudden the tax has been raised from 7½ per cent. to 19½ per cent. I have personally inspected these quarters, as an Alderman of the Calcutta Corporation, and I was really struck with wonder how could the Corporation or anybody impose taxes without giving them proper amenities for which the tax was imposed. I have seen with my own eyes men using dirty water in these quarters and complaining that they have not had for three years a drop of good water and still they are required to pay the tax. What is the justification? One justification is the expansion of Calcutta. Very well, I understand that. Expand Calcutta by all means, but introduce gradual taxation. You want full tax but when the question of improvement comes in, it will be gradual—not the taxation gradual but the improvement gradual. Then, Sir, I am speaking from my own personal experience. Only a few days ago a number of tailors and washermen came to me from Garden Reach and complained that their sewing machines and utensils had been attached because they could not pay the tax. If my friend, Mr. Khaitan, comes with me I can show him places where there is neither water nor any pipe even for the supply of water and even the utensils of the poor men have been attached.

There is another thing: objection might be taken, and I think it has been taken, on the ground that public opinion has not been obtained on the Bill. But so far as the Cossipore-Chitpore Municipality is concerned, the Calcutta Corporation, who are directly interested, were consulted in the matter but they refused to express any opinion. So it is not correct to say that public bodies have not been consulted.

Then, Sir, there is another point. It has been said that large sums of money have been expended in these areas in the hope of future development. Well, what reply was given to Government when the very same plea was put forward in the case of Dacca where also

large sums of money were spent upon the new capital after partition. All the same every one of us—at least a majority of us—did not reject the idea of annulling the partition.

Then, Sir, it is said that these areas should be improved: but look to the *bustees* of Calcutta which are all in a very undeveloped and insanitary condition. If any one will come with me to Maniktala and other places I can show him the wretched condition of these places and how for want of good water-supply epidemic diseases have broken out in these localities. In some of these places the water which fell during the last rains is still standing knee-deep.

Then, Sir, I think I have every right to express the wishes of the people of Cossipore-Chitpore which is my constituency and I do not think that Government will turn a deaf ear to their complaint—the paternal Government must listen to their complaint. It seems to me that the objection which has been raised to the Bill for not being circulated for public opinion is a technical one, in as much as the Calcutta Corporation who are directly concerned in the matter were consulted on the subject, and their refusal to express any opinion clearly indicates that they have no objection to this measure.

With these few remarks, Sir, I beg to support Dr. Suhrawardy's motion and oppose that of Babu Amulya Dhone Addy.

Mr. A. C. BANERJEE: Sir, I am sorry that I find myself at variance with my friends on this side. They have all come here fully determined to support Dr. Suhrawardy's Bill, however cogent the reasons may be against it. Well, we have been told—I will start with the last speaker, Maulvi Wahed Hossain—that the opinion of the Corporation was asked but none was given. The Corporation did give its opinion before the new Act was passed, and the Corporation definitely said that Calcutta required expansion——

Maulvi WAHED HOSSAIN: Sir, I referred to this Bill and not the previous one.

Mr. A. C. BANERJEE: And having expressed that opinion and now refusing to give any opinion it does not follow that the Corporation is in favour of it. That is an argument which I shall have to live long enough to appreciate. In the absence of any opinion now, having given an opinion already, can any one say that the Corporation had given no opinion: that is a logic which, perhaps, finds favour to-day with my friends on this side, for logic does not often prevail on this side. Now with regard to the amenities, or with regard to the oppression to which the Cossipore-Chitpore people particularly will be subjected if they are kept within the jurisdiction of the Calcutta Corporation, I should like to say one or two words. It cannot be

denied that Calcutta requires expansion and must expand not in the interests of the big millionaires or rich people, but in the interests of the poor middle-class people who cannot find any accommodation in Calcutta without paying a good portion of their income. A man getting Rs. 80 or Rs. 100 a month takes two or three rooms in a house by paying one-fifth or one-fourth of his income. There is more demand for houses for the poor middle-class people in Calcutta than the supply, and that demand can only be met if Calcutta were to expand.

Now, Sir, as regards the point that the Cossipore-Chitpur people have been badly hit by reason of their being brought within the jurisdiction of Calcutta, I for one cannot understand why there should be any complaint at all. The Corporation are not only spending the entire income derived from the Cossipore-Chitpur and other added areas, but in addition to that they are spending lakhs and have made provision for spending a great deal more in order to provide the added areas with sewer, proper lighting, and proper water-supply. We have been told that in Calcutta itself we do not get good water-supply and that there are unhealthy and insanitary *bustees* in Calcutta. True, so there are insanitary slums in London. But when we say that there are insanitary slums in London we must not forget that London is the healthiest city, perhaps, in the whole world. That death-rate in London is 11 per mille, whereas in Calcutta on an average it is 22 or 23 per thousand. If Cossipore-Chitpur, Maniktala, and Garden Reach are kept within Calcutta the death-rate in all these places be reduced. I come from an area which was added to Calcutta in 1888, similarly the Ballygunge area, the Bhowanipore area were all added in 1888. It took the Corporation a long time to bring these added areas on the same footing as regards amenities as Calcutta itself, but the amenities have come after all. The area where I am living to-day was a swamp—it was a marshy land—but you will find to-day big structures springing up there. Similarly, the area which was marshy in 1888, I mean the place from where Babu Bejoy Krishna Bose comes, is full of houses now, and you will find four roads running on four sides of the house of my friend. Look at the death-rate of these added areas——

(A VOICE: Statistics will show the death-rate.)

Mr. A. C. BANERJEE: The death-rate is not lower, though the number of people dying there is less.

Now, if the amenities enjoyed by the residents of Cossipore-Chitpur, Maniktala, and Kidderpore are not equal to those enjoyed by people living in the heart of Calcutta, I say it is too much to expect all this in so short a time. It is not possible—humanly possible—that within two years you can give them all the amenities that you have been enjoying in Calcutta, and which has taken something like

50 years to provide. One thing must not be forgotten that Calcutta must expand. If Calcutta does not expand what will be the result? In Calcutta the sanitary condition may be improved from day to day, but from these neighbouring filthy and insanitary areas we shall have all sorts of diseases invading Calcutta, and that is a thing we shall have to guard against. As I said, it is for the benefit of the middle-classes that these areas should remain within Calcutta and be gradually developed. I certainly, Sir, do not understand why this Bill has been brought forward by my friend, Dr. Suhrawardy. Of course, it is not very difficult to guess the reason as to why there should be so much support to my friend's Bill from all sides of the House and why also there should be a chorus of approval from all parties. We must not forget the coming election. We are all anxious to come back—at least a great many of us do. My friend, Maulvi Wahed Hossain, has frankly told us that he comes from Cossipore-Chitpore area and that accounts for his support of the Bill. There is also my friend, Mr. Roy, who frankly told me that he has got voters there, Of course, I do not wish to impute motives to any one, but our friends forget that democracy does not mean demagogy. You are not democrats but demagogues.

Sir, I think that if the bureaucracy has been once right in its life it was only on the occasion when they included these areas within Calcutta——

(A VOICE: What about responsive co-operation?)

Mr. A. C. BANERJEE: I do not say that the bureaucracy is always right. I have seldom had any occasion to throw away my care or affection to the bureaucracy. I think the compliment is also returned. Nevertheless, if in this particular instance the bureaucracy accepts my view, they are right at any rate for once.

Lastly, I would ask my friends to consider as to what would be the future of Calcutta and not to be carried away by sentiments. With these observations I strongly oppose the Bill.

Mr. J. CAMPBELL FORRESTER: Sir, the remarks that have come from Mr. Bose, a member of the Calcutta Corporation, has surprised me. Only about a week ago the majority of the members of the Corporation declined to part with any power that have been given to them. Member after member got up in an excited manner and demanded that the power that has been given to them under the Bengal Cruelty to Animals (Amendment) Bill, 1926, should not be taken away from their hands. They were capable and able to do the work and could not understand Government daring to take this power away. Then I am told that this Bill was sent to the Corporation for their consideration and Mr. Banerjee has said the Corporation refused to give their opinion. I refute that.

To my knowledge and the knowledge of my colleagues in this House this Bill has never been before the Corporation at all. I venture to say that this is not a question in which the opposition are considering the comforts and advantages of the people of the added areas. What they are pursuing at the present moment is in my opinion purely a political game. You are converting what is particularly a Corporation matter into a political one. You have started your political propaganda and I do not admire the methods you have adopted.

I oppose this Bill. It will create confusion. Why, Sir, it is the tendency all over the world at the present time for all large municipalities to absorb the smaller surrounding municipalities. This is as it should be combination and number means strength. Our lives at the present time are so complicated with matters of drainage, lighting, roads, water and transport that a central organization is surely the best method to handle them.

We can quite understand that these small municipalities consider themselves badly treated at the present moment as they are not getting full value for their money. This we must admit. We must ask them to be patient and to give us a little more time. Much has to be accomplished and will be done if the Corporation is only given time and the right kind of representatives are returned.

Sir, it is 25 years ago since I listened to these antiquated arguments that are being used to-day. I then had the honour to be a member of a City and County Council in England who were fighting the same subject that we are doing to-day and the members of that Council used the exact arguments you are using against being annexed by the City Council. Time passed and the very members who opposed annexation were proud and loud in their praise that they had become part of the great city. What happened in that City of Newcastle will come to pass in this City of Calcutta. I trust the members of the House will look to the interests of the added areas and thereby defeat the subtle under-current that is nothing less or more than a political game that is being played by the opposition.

Mr. S. C. MUKERJI: Sir, ordinary courtesy demands that this Council should have the considered judgment of the Corporation of Calcutta. On the one hand I hear Mr. B. K. Bose and Mr. Wahed Hossain supporting Dr. Suhrawardy's Bill—on the other hand I hear Mr. A. C. Banerjee and Mr. Campbell Forrester opposing the Bill, and this difference of opinion which we hear expressed this evening shows that we have not got here the considered judgment of the Calcutta Corporation. May I ask where is the Mayor of Calcutta to-day and where is the Deputy Mayor? I have heard that they are within the precincts of this premises but I do not find them inside this Council Chamber. Do not the Mayor and the Deputy Mayor of the Corporation of Calcutta think that they have sufficient responsibility in this

matter? Will they not let us know what they have got to say in this matter? Only three years ago we had these outlying places added to the Municipality of Calcutta. In three years' time there is a hue and cry all over the place that they do not want to remain within the jurisdiction of the Calcutta Corporation. But we should like to know what the Calcutta Corporation has got to say in the matter. We have him shown the one side of the shield. We want to see the other side. We want to know what the Calcutta Corporation has done in the matter. Have they taken any steps for the amelioration of these outlying districts? Have they spent any money? Have they started any scheme? Have they got any definite proposal before them for the improvement of these outlying areas, and have they got proper representatives on the Calcutta Corporation? These are cogent and pertinent questions and we should like the Calcutta Corporation to reply to these questions before we, the members of the Legislative Council, are in a position to make up our mind as to how we should vote in this matter. Of course, wherever there is taxation there is a great deal of cry, and there is sometimes a great deal of force in their contention as well. Sir, we very well understand their view-point and therefore, Sir, it is only right and proper that before this legislation is rushed through this Council, we should like to have the considered judgment of the Calcutta Corporation before the Council is in a position to make up its mind in regard to the subject.

Dr. A. SUHRAWARDY: Sir, as Rai Harendranath Chaudhuri, Mr. B. K. Bose, Maulvi Wahed Hossain and other speakers who have supported the Bill have effectively disposed of the arguments of its opponents, I do not think it is necessary for me to refute them. I am glad to find that the only opponent of the Bill on principle is Babu Debi Prosad Khaitan. His main reasons for opposing the Bill is that it would stop the expansion of Calcutta and the operation of the Improvement Trust. I do not understand what he means by the expression "the expansion of Calcutta." Sir, I have some connection with the suburbs of Calcutta and I know that the Tollygunge Municipality flourished as an independent body though not included within the Calcutta Corporation. The exclusion has not retarded the expansion of Calcutta or the operation of the Improvement Trust. Mr. B. K. Bose has already drawn attention to the filthy drains in the Cossipore-Chitpur and Garden Reach Municipalities, the veritable Serbonian bogs which will swallow up all the money bags of Burrabazar. And if the Calcutta Corporation imposes tax on Burrabazar for improving the conditions of Cossipore-Chitpur and Garden Reach, as these areas are taxed, I am afraid riots will break out.

As regards the amendment of Mr. Addy he says he has full sympathy with the principle of the Bill but he wants a fuller expression of public opinion. He has himself told the House, however, that in 1923 public

opinion was strongly against the inclusion of Cossipore-Chitpur and Garden Reach and the people of Calcutta have not changed their opinion since. It is quite possible that technically public opinion and the opinion of the Calcutta Corporation have not been ascertained. There has hardly been any time for Government or any other authority to do that. But we need not take shelter behind that fiction. I think several members of the Calcutta Corporation are present here to-day. The Mayor of Calcutta who is the leader of the Swarajya Party is also present here. Aldermen and other members of the Corporation have spoken in support of the Bill and yet there are gentlemen who want to take shelter under the necessity for consulting public opinion. It is refreshing to find that on the eve of the dissolution of the Council there is a dawn of sense of respect and regard for public opinion. When Government do not hesitate to rush through important measures affecting public interest in the absence of the majority of the elected members of the Council, their anxiety for eliciting public opinion is strange and not above suspicion.

I am thankful to Mr. Guha for his assurance that his motion was not for facilitating the death pangs of my infant Bill, but that he really thought that public opinion was against the Bill. He has learnt since that the people concerned, that is to say, the rate-payers of Cossipore-Chitpur and Garden Reach Municipalities as well as the authorities of the Calcutta Corporation are not opposed to the present Bill. He has, however, not moved his amendment. I am thankful for it.

Sir as for Mr. A. C. Banerjee, I have not been able to follow his speech or his reasoning nor could I penetrate the veil which clouds his psychology and mentality. So I need not take him and speakers of his ilk seriously. With these remarks, I commend my Bill to the House.

[The Council then adjourned for 15 minutes.]

[After the adjournment.]

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia: Sir, when I came to this Council Chamber this afternoon I had no idea that this was going to be the greatest event of the day. However, I find that it is so. I have listened to the debate very carefully and the impression which I have got is that a nice bit of camouflaged electioneering has been very much indulged in by many of the members and I think Mr. Banerjee has done what may be called *Hate Handi Bhanga*. I am sure the supporters of this Bill must be feeling grateful in their heart of hearts to Dr. Suhrawardy for giving them this excellent little opportunity. I find that Mr. J. N. Basu has also supported this Bill. He has, I think, got an opportunity of speaking on his resolution No. 29, in advance, there being no chance of its coming up in this session. Mr. Wahed Hossain has told us that the

Calcutta Corporation have not expressed any opinion on this point and their silence may be presumed to mean that the Corporation are in favour of the exclusion of these added areas." (A VOICE: Question.)

He has told us that in so many words and there is no questioning it. I do not know whether Mr. Wahed Hossain is aware that the Bill was never sent to the Corporation for an expression of opinion and I shall be very grateful if he will let me know at which meeting of the Calcutta Corporation the matter was discussed, so that I could look into the printed proceedings and find their opinion.

Mr. A. C. Banerjee has very ably explained the reason why this Bill should be opposed and I think, after what he has said, there is very little left for me to say. Mr. S. C. Mukerji asked us a very pertinent question: "Where is the Mayor?" I find that he has just come here.

Mr. J. M. SEN GUPTA: May I rise, Sir, to a point of personal explanation? I am here not as the Mayor of Calcutta; I am here to represent the electors who sent me to this Council and I am here to look after the interests of the people of the whole of Bengal. I know that the voters, *i.e.*, the electors who pay money——

Mr. PRESIDENT: I think you have finished with your personal explanation.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia: I am pleased to hear that the Mayor of Calcutta is not here but that Mr. J. M. Sen Gupta, the Leader of the Opposition, has got an astral existence somewhere else. However, that does not alter the situation. I should have very much liked to hear what the Mayor of Calcutta has got to say. We should like to have heard the Deputy Mayor as well. Where is he?

Mr. J. M. SEN GUPTA: May I rise, Sir, to a point of personal explanation? The Mayor of Calcutta cannot make any statement here. The Calcutta Corporation can speak for itself and it never speaks through the Mayor in the Legislative Council.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia: I do not know whether I stand corrected. However, let me proceed. Mr. Sen Gupta is a very efficient lawyer and I think I should bow down to his ruling. (Laughter.)

I do not propose at this stage to discuss the sequence of events by which Cossipore-Chitpur and Garden Reach were included in the

Calcutta Corporation. The proposal for inclusion was opposed by Government and Government are not committed to the policy of upholding the inclusion for all time and in all circumstances. What, however, we do oppose is an attempt to rush through the legislature a highly controversial proposal of this description, without any attempt to consult beforehand the body chiefly concerned, *i.e.*, the Calcutta Corporation, and I also claim that the Calcutta Improvement Trust must have some say in the matter. It was open to the Member in charge of this Bill to move a resolution asking the Council to recommend to the Government the exclusion of Cossipore-Chitpore and Garden Reach. Such a resolution, I find, has been tabled for discussion in the present session, but there is little likelihood of its coming up. Therefore, the Council will have no opportunity of expressing its views on this question after discussing it threadbare. Had such a resolution been carried, Government would then have consulted the Corporation, and if a clear case were made out for reversing the decision of 1923, proposals for a Bill amending the Calcutta Municipal Act could be placed before the Council. The mover has, however, adopted quite different tactics. The inclusion of these areas was carried against Government and Government cannot agree to alter a provision without consulting the bodies concerned. Some member has already pointed out that the Calcutta Corporation might have undertaken some works of improvement in these areas and might have invested some money over these works. I think it is fair and equitable that the Corporation should be consulted before we take such a step. I would, therefore, very strongly oppose the consideration of this Bill, and I would appeal to the rationally emotional section of this House to pause and think whether it is proper to toy with legislation in this way.

The motion of Babu Amulya Dhone Addy was then put and a division taken with the following result:—

AYES.

Addy, Babu Amulya Dhone.
Banerjee, Mr. A. C.
Birley, the Hon'ble Mr L.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Child, Mr. R. H.
Cohen, Mr. D. J.
Cooper, Mr. C. S.
Crawford, Mr. T. C.
Das, Babu Charu Chandra.
Das, Rai Bahadur Amar Nath.
Davis, Mr. J. Cowper.
De, Mr. K. C.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. G.
Dutt, Mr. S. S.
Farequi, Khan Bahadur K. S. M.
Forrester, Mr. J. Campbell.
Heard, Major General Richard.
Hodgson, Mr. R. C.
Hopkyns, Mr. W. S.
Jennaway, Mr. J. H.
Khaitan, Babu Debi Prosad.
Lindsay, Mr. J. H.
McAlpin, Mr. M. C.
McKenzie, Mr. D. P.
Moberly, Mr. A. H.
Morgan, Mr. G.
Mukerji, Mr. S. C.
Patterson, Mr. D. C.
Ray, the Hon'ble Kshaunish Chandra, of Nadia.
Roy, Mr. S. N.
Stapleton, Mr. H. E.
Travers, Mr. W. L.
Wilson, Mr. R. G.

NOES.

Ahmed, Sardar Mahafezuddin.
Ahmed, Maulvi Tayebuddin.
Ahmed, Maulvi Zannoor.
Ali, Maulvi Sayyed Sultan.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Banerjee, Babu Satya Kishore.
Banerjee, Rai Bahadur Abinash Chandra.
Barton, Mr. H.
Basu, Babu Sarat Chandra.
Biswas, Mr. Abdul Latif.
Bose, Babu Bejoy Krishna.
Chaudhuri, Maulvi Saiyed Abdur Rob.
Chaudhuri, Rai Harendranath.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Das Gupta, Dr. J. M.
Daud, Mr. M.
Dey, Babu Boroda Prosad.
Ganguly, Babu Khagendra Nath.
Ghuznavi, Hadji Mr. A. K. Abu Ahmed Khan.
Goenka, Rai Bahadur Badridas.
Guha, Mr. P. N.
Haq, Khan Bahadur Kazi Zahirul.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Huq, Mr. Mahbubul.
Joardar, Maulvi Aftab Hossain.
Khan, Maulvi Abdur Rasehid.
Khan, Maulvi Amanat.
Lal Mahammed, Haji.
Mahammad, Maulvi Basar.
Mitter, Sir Provash Chunder.
Morono, Dr. H. W. B.
Mukerjea, Babu Taraknath.
Nandy, Maharaj Kumar Sris Chandra.
Nasker, Babu Hem Chandra.
Nazimuddin, Mr. Khwaja.
Pahlowan, Maulvi Md. Abdul Jubbar.
Quader, Maulvi Abdul.
Rahman, Mr. A. F.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Babu Surendra Nath.
Ray, Dr. Kumud Sankar.
Ray Chaudhuri, Raja Manmatha Nath of Santosh.
Ray, Babu Manmatha Nath.
Roy, Babu Sateowripati.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Roy, Raja Manilell Singh, of Chakdighi.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarkar, Babu Hemanta Kumar.
Sarkar, Maulvi Allah Bukhsh.
Sarker, Babu Naliniranjan.
Sen Gupta, Mr. J. M.
Suhrawardy, Dr. A.
Suhrawardy, Mr. H. S.
Tarafdar, Maulvi Rajib Uddin.

The Ayes being 34 and the Noes 62, the motion was lost.

The motion of Dr. A. Suhrawardy that the Calcutta Municipal (Amendment) Bill, 1926, be taken into consideration was then put and a division taken with the following result:—

AYES.

Ahmed, Sardar Mahafezuddin.
Ahmed, Maulvi Tayebuddin.
Ahmed, Maulvi Zannoor.
Ali, Maulvi Sayyed Sultan.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Banerjee, Rai Bahadur Abinash Chandra.
Barton, Mr. H.
Basu, Babu Jatindra Nath.
Basu, Babu Sarat Chandra.
Biswas, Mr. Abdul Latif.
Bose, Babu Bejoy Krishna.
Chaudhuri, Maulvi Saiyed Abdur Rob.
Chaudhuri, Rai Harendranath.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Das Gupta, Dr. J. M.
Daud, Mr. M.
Dey, Babu Boroda Prosad.
Ganguly, Babu Khagendra Nath.
Ghuznavi, Hadji Mr. A. K. Abu Ahmed Khan.
Guha, Mr. P. N.
Haq, Khan Bahadur Kazi Zahirul.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Huq, Mr. Mahbubul.
Joardar, Maulvi Aftab Hossain.
Khan, Maulvi Abdur Rasehid.
Khan, Maulvi Amanat.
Lal Mahammed, Haji.
Mahammad, Maulvi Basar.
Mitter, Sir Provash Chunder.
Morono, Dr. H. W. B.
Mukerjea, Babu Taraknath.
Nandy, Maharaj Kumar Sris Chandra.
Nasker, Babu Hem Chandra.
Nazimuddin, Mr. Khwaja.
Pahlowan, Maulvi Md. Abdul Jubbar.
Quader, Maulvi Abdul.
Rahman, Mr. A. F.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Babu Surendra Nath.

Ray, Dr. Kumud Sankar.
Ray Chaudhuri, Raja Manmatha Nath, of Santosh.
Roy, Babu Manmatha Nath.
Roy, Babu Sateswripati.
Ray, Dr. Bidhan Chandra.
Ray, Mr. D. N.
Ray, Mr. Kiran Sankar.
Roy, Raja Manilell Singh, of Chakdighi.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarkar, Babu Hemanta Kumar.
Sarkar, Maulvi Allah Bukhsh.
Sarkar, Babu Naliniranjan.
Sen Gupta, Mr. J. M.
Suhrawardy, Dr. A.
Suhrawardy, Mr. H. S.
Tarafdar, Maulvi Rajib Uddin.

NOES.

Addy, Babu Amulya Dhone.
Banerjee, Mr. A. C.
Birley, the Hon'ble Mr. L.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Child, Mr. R. H.
Cohen, Mr. D. J.
Cooper, Mr. C. G.
Das, Babu Charu Chandra.
Das, Rai Bahadur Amar Nath.
Davie, Mr. J. Couper.
De, Mr. K. G.
Donald, the Hon'ble Mr. J.
Drummond, Mr. J. G.
Dutt, Mr. G. S.
Faroqui, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Heard, Major General Richard.
Hodgson, Mr. R. C.
Hopkyns, Mr. W. S.
Jennaway, Mr. J. N.
Khaitan, Babu Debi Prosad.
Lindsay, Mr. J. H.
McAlpin, Mr. M. C.
McKenzie, Mr. D. P.
Moberly, Mr. A. N.
Morgan, Mr. G.
Mukerji, Mr. S. C.
Patterson, Mr. D. C.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra, of Nadia.
Ray, Mr. S. N.
Stapleton, Mr. H. E.
Travers, Mr. W. L.
Wilson, Mr. R. B.

The Ayes being 61 and the Noes 33, the motion was carried.

Dr. A. SUHRAWARDY: I beg to move that the Calcutta Municipal (Amendment) Bill, 1926, as introduced in Council, be passed.

The motion was put and agreed to.

Adjournment.

The Council was then adjourned till 3 P.M. on Thursday, the 19th August, 1926, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Thursday, the 19th August, 1926, at 3 P.M.

Present:

The Hon'ble the President (KUMAR SHIB SHEKHARESWAR RAY) in the Chair, the four Hon'ble Members of the Executive Council, and 65 nominated and elected members.

Starred Questions

(to which oral answers were given).

Communal tension between Hindus and Muhammadans.

*9. **Rai HARENDRANATH CHAUDHURI:** (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state what steps were taken and at what times to minimise Hindu-Muslim communal tension and prevent communal riots specially—

(*i*) in Calcutta; and

(*ii*) in Pabna?

(*b*) What further steps, if any, are being taken at the present moment and do the Government propose to take in the immediate future to—

(*i*) deal with the rioters and persons fomenting communal riots; and

(*ii*) prevent the further development and spread of communal riots?

(*c*) Are the Government considering the desirability of revising their decision regarding music before mosques in Calcutta as embodied in its *communique* and resolution of the 5th June, 1926?

(*d*) Is the Hon'ble Member aware that the District Magistrate of Faridpur has addressed on or about the 25th July a letter to the members of both the communities on the question of music before mosques proposing to impose serious restrictions on the public right to lead processions with music before mosques?

(*e*) Had the decision of the Magistrate as embodied in that letter the sanction or the approval of the Government?

(*f*) Were any steps taken by the said District Magistrate to ascertain local practices before the issue of the aforesaid letter in accordance with the statement in the Government *communiques* and resolution of the 5th June, 1926, that "in the mufassal Magistrates and police officers will continue to regulate processions in accordance with the local practice"?

(*g*) If so, what steps were taken by him to ascertain and what were the results of his investigation into the local practice regarding music before mosques?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. L. Birley): (*a*) and (*b*) Government have made and will continue to make full use of the police force and of the powers vested in them under the law.

(*c*) No.

(*d*) Government have seen a copy of the orders referred to. They are administrative orders laying down certain restrictions in the interests of preservation of order but are not intended to settle any question of right or title.

(*e*) It was not referred to Government.

(*f*) Yes. The orders were passed because no clear or definite local practice could be ascertained.

(*g*) Inquiries were made from various sources—official and non-official—and a meeting of local leaders of both communities was held. The results of his investigation was stated in the order.

Allegation against the Sub-Deputy Magistrate of Magura.

*10. **Mr. D. N. ROY:** (*a*) Is the Hon'ble Member in charge of the Appointment Department aware—

(*i*) that serious allegations have been made against one Mr. M. A. A. Mirza, Sub-Deputy Magistrate of Magura in the district of Jessore, with regard to the execution of his public duties; and

(*ii*) that in consequence of such allegations a local inquiry was made by the District Magistrate of Jessore?

(*b*) If the answer to (*a*) is in the affirmative, has the District Magistrate submitted a report after his inquiry?

(*c*) If so—

(*i*) what is the date of the report; and

(*ii*) when was the report received by the Government?

(d) Will the Hon'ble Member be pleased to lay a copy of the report on the table?

(e) Have any steps been taken by Government upon the report of the District Magistrate of Jessore?

(f) If so, what are the steps taken?

(g) If no steps have been taken, will the Hon'ble Member be pleased to state the reasons?

(h) What steps do Government propose to take in the matter and when?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Mr. L. Birley): (a) to (c) Certain allegations against this officer were made to the District Magistrate of Jessore, who submitted a report to the Commissioner without formulating charges or calling for an explanation. Charges were subsequently framed and the District Magistrate was directed to report on the Sub-Deputy Magistrate's explanation. The District Magistrate's report is dated 22nd July, 1926, and it was received by Government through the Commissioner on 5th August.

(d) to (h) The report is now under the consideration of Government and orders will be passed in due course. Government are not prepared to lay a copy on the table.

Unstarred Questions

(answers to which were laid on the table).

Pay and working hours of clerks of Bengal Government Press and Jail Press.

38. Mr. K. C. RAY CHAUDHURI: (a) Will the Hon'ble Member in charge of the Finance Department be pleased to lay on the table a statement showing the respective scales of pay of the clerks of the—

(i) Bengal Government Press, and

(ii) the Alipore Jail Press?

(b) What are their respective working hours?

MEMBER in charge of FINANCE DEPARTMENT (the Hon'ble Mr. J. Donald): The member is referred to the answer to question No. 30.

Salaried workers in the Government Presses.

39. Mr. K. C. RAY CHAUDHURI: (*a*) Has the attention of the Hon'ble Member in charge of the Finance Department been drawn to the proceedings of the All-India Press Employees' Conference held at the Calcutta Town Hall on the 26th and 27th June last?

(*b*) Do the Government intend taking any steps for the removal of the grievances of the salaried workers in the Government Presses as embodied in resolutions passed at the Conference?

The Hon'ble Mr. J. DONALD: (*a*) Yes.

(*b*) Government are prepared to consider any legitimate grievances of their salaried employees in the Press which are brought to their notice through the proper channel in the ordinary way, but they cannot undertake to deal with resolutions or grievances which are brought to their notice in this manner.

Muhammadans in Forest Service.

40. Maulvi ZANNOOR AHMED: (*a*) Has the attention of the Hon'ble Member in charge of the Department of Revenue (Forests) been drawn to the paucity of Muhammadans in the provincial service of the Forest Department?

(*b*) What steps, if any, have been taken by the Government for the appointment of Muhammadans in that service?

MEMBER in charge of DEPARTMENT of REVENUE [FORESTS] (the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur): (*a*) and (*b*) The reply given to question No. 97 on the 11th December, 1925, may be seen. The question of the number of Muhammadans in the forest services is still under consideration.

Chittagong (Muhammadan) Constituency of Bengal Legislative Council.

41. Maulvi AMANAT KHAN: (*a*) Is the Hon'ble Member in charge of the Appointment Department aware that the Chittagong (Muhammadan) Constituency has been divided into two halves, north and south division, the Northern division containing a greater population than the Southern division?

(*b*) What is the population of each division?

The Hon'ble Mr. L. BIRLEY: (*a*) Yes.

(*b*) Chittagong North Muhammadan .. 458,672
Chittagong South Muhammadan ... 712,978

Technical School at Chittagong.

82. Maulvi AMANAT KHAN: (*a*) Is the Hon'ble Member in charge of the Department of Agriculture and Industries aware that the Chittagong Municipality, as asked by the Government, passed a resolution in their general meeting held in March or April, 1926, to start a Technical School (Smithy) at Chittagong and approached the Government for help?

(*b*) Are the Government considering the desirability of granting substantial aid for the establishment of the same at once?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Member be pleased to state when the aid is likely to be given?

MEMBER in charge of DEPARTMENT of AGRICULTURE and INDUSTRIES (the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur): (*a*) No.

(*b*) and (*c*) Do not arise.

Executive Officers of Co-operative Central Banks standing for election to Legislative Council.

83. Maharaj Kumar SRIS CHANDRA NANDY: (*a*) Will the Hon'ble Member in charge of the Appointment Department be pleased to state whether it is permissible for executive office-bearers of Co-operative Central Banks, standing as candidates for election to Legislative Councils, to use the subordinate staff and members of Co-operative Societies under them as workers to canvas for themselves?

(*b*) If not, are the Government considering the desirability of issuing instructions directing all members and the staff of such bodies to refrain from using their influence, in their official capacity, upon voters, to support the candidature of any of their office-bearers?

The Hon'ble Mr. L. BIRLEY: (*a*) Except where the Collector or the Subdivisional Officer is the *ex-officio* Chairman of a Central Bank, the executive of a Central Bank is composed wholly of non-officials over whom Government do not exercise control. The subordinate staff of

Co-operative Societies are appointed and paid by the Societies and they are not subject to the control of Government. There is no law or rule forbidding the action mentioned.

(*b*) The question does not arise.

Muhammadan

44. Maulvi ZANNOOR AHMED: (*a*) Will the Hon'ble Member in charge of the Department of Agriculture and Industries (Excise) be pleased to lay on the table a statement showing the present number of vendors of—

(*i*) ganja,

(*ii*) opium, and

(*iii*) bhang,

in the districts of Hooghly and Howrah?

(*b*) How many of these vendors are Muhammadans?

(*c*) Has the attention of the Hon'ble Member been drawn to the paucity of the Muhammadan vendors?

(*d*) Is it a fact that there are several Muhammadan applicants for such shops?

MEMBER in charge of DEPARTMENT of AGRICULTURE and INDUSTRIES [EXCISE] (the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur): (*a*) Number of drug shops—

	Ganja.	Opium	Bhang.
Hooghly	60	60	29
Howrah	32	28	26

(*b*) Number held by Muhammadans—

	Ganja.	Opium.	Bhang.
Hooghly	1	2	1
Howrah	..	1	..

(*c*) Yes.

(*d*) Number of Muhammadan applicants for drug shops during the last two settlements is given below:—

	1925-26.	1926-27.
Hooghly	6	1
Howrah	1	2

Position of Muhammadan E[illegible] as reported in Administration Report of 1924-25.

45. Rai HARENDRANATH CHAUDHURI: With reference to the remarks (on page 137) in paragraph 479 of the Bengal Administration Report for the year 1924-25, will the Hon'ble Member in charge of the Department of Education be pleased to state—

(*i*) in what respects and for what reasons "the position of Muhammadan education is by no means satisfactory"; and

(*ii*) what are the "needs" referred to "of the community"?

MEMBER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. J. Donald): (*i*) Muhammadans number only 12 and 15 per cent., respectively, of the students in colleges and secondary schools.

(*ii*) Increased grants for schools, stipends and scholarships and an increase in the number of Moslem teachers.

Value and amount of work done in Government Press and Jail Press.

46. Mr. K. C. RAY CHAUDHURI: (*a*) Will the Hon'ble Member in charge of the Finance Department be pleased to lay on the table a statement showing the value and amount of work done year by year from the year 1905 to 1925 and the yearly establishment charge during the same period in the—

(*i*) Bengal Government Press, and

(*ii*) Alipore Jail Press?

(*b*) Is there any difference between the technical skill and experience required for the work done in the composing section of the—

(*i*) Bengal Government Press, and

(*ii*) Alipore Jail Press?

The Hon'ble Mr. J. DONALD: (*a*) The preparation of a statement giving the information desired would involve an amount of labour disproportionate to the value of the result.

(*b*) The member is referred to the answer given to his unstarred question No. 30.

Text Books.

47. **Babu HEM CHANDRA NASKER:** (*a*) Will the Hon'ble Mmber in charge of the Department of Education be pleased to state whether Government propose to amalgamate the two Text Book Committees—one at Dacca and the other at Calcutta?

(*b*) Is it proposed to restrict the number of approved text books in each subject to four books only?

(*c*) Will the Hon'ble Member be pleased to state whether the Government are considering the desirability of retaining the present system of approving good books without any restriction on the number?

The Hon'ble Mr. J. DONALD: (*a*) The question of the reorganisation of the Text Book Committees is being considered by the Director of Public Instruction. No final decision has yet been arrived at.

(*b*) and (*c*) The matter is under consideration. Authors and publishers have been invited by the Director of Public Instruction to express their opinion on the proposed Text Book Committee rules.

Government press work done through contracts with private presses.

48. **Mr. K. C. RAY CHAUDHURI:** (*a*) Will the Hon'ble Member in charge of the Finance Department be pleased to lay on the table a statement showing the amount paid for work done through contracts placed with the outside presses respectively in the years from 1915 to 1925?

(*b*) Is it a fact that about one hundred men working in the Bengal Government Press, Calcutta, were thrown out of employment in the years 1920 to 1925 in consquence of the system of placing contracts with outside presses?

The Hon'ble Mr. J. DONALD: (*a*) A statement is laid on the Library table. Strictly speaking, this is not for work done through contracts, but for work given out as occasion requires which the Government Press is not in a position to perform.

(*b*) No one has been thrown out of employment on this account.

Non-official Members' Bills.

The Bengal Village Self-Government (Amendment) Bill, 1922.

SHAH SYED EMDADUL HAQ: I move for leave to introduce a Bill to amend the Bengal Village Self-Government Act, 1919.

Mr. PRESIDENT: Does anybody object to the leave being given? No objection being taken, the motion was put and agreed to.

The Secretary then read the short title to the Bill.

SHAH SYED EMDADUL HAQ: I move that the Bengal Village Self-Government (Amendment) Bill, 1926, be taken into consideration.

He spoke in vernacular in support of his motion. An English translation of his speech is as follows:—

"These are many things in village self-government which require amendment. To that end I have also introduced Bills, but there is a vast difference in demanding a thing and obtaining it from Government. The Swarajists and other nationalist members of the Council sometimes take an active part in a thing and sometimes remain indifferent. Not knowing what would be the fate of my Bill previously introduced, I have made arrangements for moving another motion on the Bill introduced for amendment of section 21 only. In amending this section it has been sought to take away the supreme power from the hands of the Magistrate. That is not unjustifiable. For it is not proper that the people will pay tax, but their elected representatives will not have any power. It must be admitted that the law of the Union Boards has been much more improved than the chaukidari law. For the welfare of the country Government are gradually establishing Union Boards in the place of the chaukidari panchayats, so I do not find any reason why Government would be reluctant to give that bit of power which has been bestowed under the chaukidari law. I want that this Bill may be passed and that immediately on its notification in the Gazette the Union Boards may exercise powers under this law. If at this stage Government wish to amend or propose anything to it, I am ready to accept that."

The following motions were called but not moved:—

Babu AMULYA DHONE ADDY to move, by way of amendment, that the Bill be circulated for the purpose of eliciting opinion thereon within one month from the 16th August, 1926.

Mr. P. N. GUHA to move, by way of amendment, that the Bill be circulated for the purpose of eliciting opinion thereof within two months from the 16th August, 1926.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia: We always find that the Shah Saheb takes a very keen interest in introducing Bills in this Council. This interest is sometimes embarrassing. However, I do not propose to take the time of the Council by speaking at any length on the merits or demerits of this

Bill. I can only say that this Bill is an unworkable one, besides Government must deprecate the rushing tactics of introducing and passing a Bill of this nature in a single sitting of the Council, especially when the Council is almost at its last gasp. In a previous session of this Council when a similar Bill was introduced by Rai Harendranath Chaudhuri the main principles had already been discussed threadbare and the Council threw out the Bill. Government stick to the position then taken. I therefore oppose the motion.

SHAH SYED EMDADUL HAQ replied in Bengali, the English translation of which is as follows:—

"Sir, the Council has not on any occasion rejected the clause relating to the matter proposed in the Bill, and it appears that Government have not at any stage denied or opposed it. Once an amendment to this section was even passed by leaving out the words 'subject to the approval of the District Magistrate' and, therefore, Government by exerting their whole strength jettisoned the whole Bill by a margin of one or two votes. So I have carefully drawn up this Bill in such a way that there might not be any occasion or cause for Government to use their strength against it. So I hope that Government will not misuse their power on this occasion."

The motion of Shah Syed Emdadul Haq was then put and lost.

The following motion failed:—

SHAH SYED EMDADUL HAQ to move that the Bill, as settled in Council, be passed.

The Bengal Local Self-Government (Amendment) Bill, 1926.

SHAH SYED EMDADUL HAQ: I move for leave to introduce a Bill further to amend the Bengal Local Self-Government Act of 1885.

Mr. PRESIDENT: Does anybody object to the leave being granted?

No objection being taken, the motion was put and agreed to.

The Secretary then read the short title to the Bill.

SHAH SYED EMDADUL HAQ: I move that the said Bill be taken into consideration.

He spoke in Bengali in support of his motion, an English translation of which is as follows:—

"Sir, there are many things in the Local Self-Government Act which require amendment. Even our ex-Minister, the late Sir Surendra

Nath Banerjee, had admitted this. At present in this Bill, I wish to deal only with two important matters, namely, that graduates and equivalent Maulvis who have passed from the Government Madrassas may have the right to vote, and that the representatives of the teachers may be elected on the District Boards. Even the uneducated villagers who pay Re. 1 as the tax or road cess are entitled to vote, while the graduates and passed Maulvis who far excel them in learning and judgment and also the pleaders and the mukhtears do not possess such a right. If Government make any opposition in this respect, the people will take it for granted that they want to shut out the learned people, as they are afraid of the latter lest they should scrutinise everything minutely and would scent misrule in every tainted breeze. None can take any exception if the passed Maulvis are put on the same footing as the graduates, inasmuch as Government themselves consider them both equal.

Then my next contention is that the Education Sub-Committees of the District Boards constituted under section 65B should each contain at least a representative of the teachers. It appears that up till now in no such Sub-Committee has any teacher been elected as a member. So I have taken particular care in drawing up this Bill that the powers would still remain in the hands of the District Boards but they would not, as before, be able to leave out the representatives of the teachers from the Sub-Committees. It is of the utmost importance that where there is provision for three primary teacher members, at least one should be represented in each Education Sub-Committee and take part and give his views in the discussions on granting money for primary education for which every year Rs. 20 or 25 lakhs are granted to the education funds of the District Boards. Besides, under the Fundamental Rules it has been provided to spend a large sum for primary education out of the funds of the District Boards. So, it is extremely unjust that the representatives of the teachers should be omitted from the Sub-Committee.

I hope Government would not oppose it. But if Government promise that in future they would write to the Divisional Commissioners and make arrangements for taking in the representatives of the teachers, I do not wish to fight it out in the Council. I pause for a reply from Government as to what is their intention."

The following motions were called but not moved:—

Babu AMULYA DHONE ADDY and Mr. P. N. GUHA to move, by way of amendment, that the Bill be circulated for the purpose of eliciting opinion thereon within one month from the 16th August, 1926.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia: Sir, in the Statement of Objects and Reasons the Shah Sahib says that if all the amendments are brought in it will require public

opinion, and this shall have to be given to the Select Committee. Government agree with him that when the Local Self-Government Act comes up for amendment, public opinion should be consulted and Government's proposals for amendment will require consideration by the Select Committee. The Shah Sahib, however, proposes to dispense with all these formalities, and he wants to have this Bill considered and passed in one sitting. On that very ground, Sir, I oppose the motion. The Shah Sahib has already admitted that these things may be done by the rules, and so I do not think there is any necessity for legislation on this subject.

SHAH SYED EMDADUL HAQ moved that the Bengal Local Self-Government (Amendment) Bill, 1926, be taken into consideration.

He spoke in Bengali, the English translation of which is as follows:—

"As the Bill will be introduced and published in the Gazette and that will create some sensation in the country and Government would not forget it totally, I am withdrawing motion No. 32. I draw the kind attention of the Hon'ble Member in charge and the Secretary that they do something in translating it into work."

The motion was then, by leave of the Council, withdrawn.

The following motion failed:—

SHAH SYED EMDADUL HAQ to move that the Bill, as settled in Council, be passed.

The Calcutta Rent (Amendment) Bill, 1926.

Dr. H. W. B. MORENO: Sir, I beg leave to introduce a Bill further to amend the Calcutta Rent Act, 1920.

Mr. PRESIDENT: Does any member object to the introduction of the Bill.

Mr. P. N. GUHA: Yes, Sir, I object.

Mr. PRESIDENT: Dr. Moreno, in that case you should make a short statement.

Dr. H. W. B. MORENO: Sir, in a very short statement at this stage I need only say that the Rent Act is necessary for the reason that conditions in Calcutta have not altered to render its provisions of no value. Rent in Calcutta is still very high, especially for houses that carry a rental of Rs. 250 and downwards. I shall be very glad

if permission is given to me later on when I move for the consideration of the Bill to deal with this question in detail and put my case thoroughly before the House. At the present moment I do not wish to occupy much time of the Council. And if the Council accepts this motion I trust that I may be allowed a chance later on, when the Bill is taken into consideration, for putting my case fully before the House.

The motion was then put and lost.

Non-official Business.

Resolutions

(on matters of general public interest).

Free and compulsory primary education.

Maulvi RAJIB UDDIN TARAFDAR: I move that this Council recommends to the Government that the system of free and compulsory primary education be immediately inaugurated in Bengal. He spoke in Bengali in support of his resolution, the English translation of which is as follows:—

"Mr. President, the urgency and usefulness of the resolution moved by me on behalf of the depressed and helpless poor class of Bengal need not be explained broadly. It is how much beneficial to the present need and demand of the country is only intelligible by the learned men of Bengal. I had many opportunities to visit many prominent places of Bengal and have seen in every place a class of men who are contributing much to the ease and comforts of the big and great men residing in the lonely corner of the poor cottages. They have got no pleasure, no leisure to think of their own good but are toiling by the sweat of their brow just like the Negroes. This is principally due to their being deprived of the light of education. As long as they are not given chances to educate themselves no fruitful good of the country is to be solicited from them. This vast province of Bengal is being dwelt by millions of men, but sorry to note that after a long and long period of British rule only 7 per cent. of the total population can yet read and write. This is no doubt a black spot on the character of the British rule. The figure I have mentioned above is again restricted only among the big men and rich officers of the country. To speak the truth, country is principally represented by tenants and labourers. These tenants and labourers are entirely deprived of the light of education. As long as Government take an active step as to the spread of free and compulsory primary education in Bengal, we

cannot expect to see the country on the way of civilisation and culture. Under these weighty reasons this day I, in support of my resolution of spreading free and compulsory primary education in Bengal, invite the kind attention of the members of the Council."

(At this stage the Hon'ble the President left the Chamber and Babu Jatindra Nath Basu took the chair.)

SHAH SYED EMDADUL HAQ: I move, by way of amendment, that in motion of Maulvi Rajib Uddin Tarafdar—

(*i*) the word "immediately" be omitted; and

(*ii*) that the following be added at the end, namely:—

"and until it is so done, schools, imparting free and compulsory primary education be established at least in every thana."

He spoke in Bengali in support of his motion, the English translation of which is as follows:—

"Sir, to dispel the darkness of ignorance, education is light, and without it men imbibe the nature of beasts. As more than 95 per cent. of the people of this country are in this state, the result has been constant riots and disturbances. Government try to prevent the recrudescence of riots by posting punitive police or by increasing the police strength, but they have not gone deep to the root. So long as the people of this benighted country are not made conscious that they can make distinctions between good or bad, friends or foes, by imparting education, there would be no end of dissensions. Therefore, the only remedy for bringing about perpetual peace in the country lies in the introduction of primary education. In comparison with other civilised countries the amount of grant for education in this country is too small. Moreover, the major portion of that sum is spent on higher education and in paying fat salaries to the staffs of the high educational institutions, which only turn out a large number of service-hunting candidates. In spite of these shortcomings, Government are still increasing the expenditure on high education, neglecting primary education.

In fairness, Government cannot put up any opposition to the original resolution, but puffed up with the strength of votes as they are, they care very little for what is just or unjust. So even if they do not agree to my resolution, they may at least accept this amendment; with this end in my mind I have introduced it.

In this Council twice my resolution for making additional grants to the depressed classes was passed. But in fact no steps have been taken in that matter. The state of education among the Muhammadans are far worse than that among the depressed classes. If Government really

wish to establish peace in the country, then instead of increasing the cost of the police they should increase the expenditure for primary education which would remove the ignorance of the people and make them law-abiding. The best course for Government would be to frame laws making primary education free and compulsory."

Babu SURENDRA NATH RAY: I am extremely pleased to see my hon'ble friend Maulvi Rajib Uddin Tarafdar has brought forward this resolution recommending to the Government that the system of free and compulsory primary education be immediately inaugurated in Bengal. The system has already been inaugurated in the Calcutta municipality and in some of the mufassal municipalities in Bengal after the passing of my Primary Education Act in 1919. My Act is confined to the municipalities and the union boards. The resolution of my friend is no doubt a very ambitious one, but is there one single gentleman in this Council who would not like to see free and compulsory education imparted throughout the length and breadth of this country? It was with this desire and only as a thin end of the wedge that after two years of hard toil that I got my Primary Education Bill passed. Though we hear from the Government side times without number that you cannot get self-government because you are not fit by education to get it, because your masses are sunk deep in ignorance, the complaint of us all has been that no real endeavours have been made by Government to try to spread education among them, to take steps to uplift them. When my Bill was passed, I was informed that provision of five lakhs of rupees would be made in the budget of the year to make my Act a success. However, I eventually came to learn that only a lakh of rupees was provided in the budget and my friends would be surprised to hear that even this lakh of rupees was not spent on the item of expenditure for which it was provided, but a good portion of the amount was spent in some school for Europeans at Kurseong. It was anticipated that primary education being one of the transferred subjects, it would thrive under the Ministers. But we were sadly disappointed. No doubt there was Mr. Biss' scheme, but we want the establishment of schools and not schemes. We have had enough of conferences and schemes and committees. I stated in introducing my Free Primary Education Bill in 1917 that in some of the Indian States, notably Baroda and Mysore, primary education was free and compulsory. Allow me to quote the following from my speech:—

"In answer to my question I received the following reply from the Commissioner of Education, Baroda State:—

(1) Primary education is free and compulsory in the Baroda State.

(2) The State bears all the expenses of such education.

(3) It is compulsory in respect to boys and girls both."

The Secretary to the Education Department of the Mysore State wrote to me as follows:—

"The introduction of the compulsory education scheme has been sanctioned in the case of 238 centres and the scheme is in full operation in 144 centres. Primary education is free in all the Government schools, but small contributions from the villagers are levied in the case of village aided schools."

This was in 1917 since which year education has made greater progress in those States. We are quite surprised to see that whereas administration in British India should be a model to the Indian States, it has come to this that these States should serve as models to the British Government. What is the cause of the backwardness of education in British India? There is no enthusiasm among the officials to spread education among the masses, everything is done in a humdrum, monotonous style. The people of the country may cry for a higher ideal of life, for the uplift of the masses who compose the real nation, but the Government of the country is apathetic. We find from the Administration Report of Bengal for the year 1924-25 that approximately 5·6 per cent. of the total Hindu (male) population and 5·3 per cent. of the Muhammadan (male) population were undergoing instruction in primary schools at the close of the year. We find that the total direct expediture on primary schools for Indian boys amounted to about 49½ lakhs of rupees of which only 47·89 per cent. was met from public funds and 52·11 per cent. from private sources.

Our complaint is, and has always been, that Government is indifferent to the real needs of the people and has never taken up the question of primary education of the people with the laudable desire of making the country fit for self-government. I shall quote only a few figures to show what the intention of Government has been as regards this subject. We find from the Civil Budget Estimates of 1926-27 that in 1925-26, the actual budget estimate under the head "Primary Education" was Rs. 23,46,000, but in the revised budget of the same year it was reduced by nearly a lakh of rupees, *i.e.*, it was put down at Rs. 22,54,000 (p. 132). I find, however, for the same year that under the head of "Criminal Investigation Department" the budget estimate for the pay of inspectors was Rs. 95,000; revised estimate was one lakh of rupees; pay of sub-inspectors was Rs. 31,440; revised estimate, Rs. 34,000; assistant sub-Inspectors, Rs. 4,392; revised estimate was Rs. 5,000 (125); so there has been increase all round. Again, in page 108 of the Civil Budget Estimates we find under the heading "Presidency Police—Pay of assistants and clerks" Rs. 10,100, but in the revised estimate we find it increased to Rs. 1,05,000. We have no objection to these increases, but the fact is that when the question of increasing the expenditure on primary education is concerned, the stepmotherly affection of the Hon'ble the

Finance Member becomes more than manifest. So long the excuse has always been that the financial condition of the province would not allow even of any decent sum being spent on the transferred subjects and I need hardly say that "Primary Education" is the most important of these transferred subjects. Now that we need not be afraid of the payment of contribution of 63 lakhs of rupees to the Central Government as Bengal's contribution on account of Meston Award, there cannot be pretext on the part of Government of shortness of funds. It will be the duty of those who will be in charge of the transferred subjects to keep a lynx eye over the actions of the step mother and the stepbrother, I mean the Finance Member and the Finance Secretary, and if the portfolio of primary education be then under a Minister with a niggardly pittance to administer the Department of Education, it should be his duty to resign his Ministership and proclaim that all his attempts to co-operate with Government have proved fruitless and that sympathy of Government towards transferred subjects is not really sincere.

Where there is a will there is a way. If the Government is really anxious to spread education among the masses, Government can do so in many ways. Let us look at what the Calcutta Corporation has been doing for the last three years. In fact it has to a large extent solved the question of free primary education among the poor—both Hindus and Muhammadans of Calcutta. The Calcutta Corporation has made it abundantly clear that the love of the educated people of Bengal for education is not lip deep but sincere and now that an opportunity has presented itself to it, it is doing its best to spread education among the masses. The Calcutta Corporation primary schools were started in June 1922. I note their number below:—

1922-23	..	..	12
1923-24	..	..	19
1924-25	..	..	51
1925-26	..	..	89
31st July 1926	..	..	100

In 1923-24 they had 2,360 children in their schools, of whom 1,720 were Hindus and 640 were Muhammadans. In 1924-25 the number went up to 6,128 (4,520 Hindus and 1,608 Muhammadans). In 1925-26 the total number of children was 10,208, of whom 7,490 were Hindus and 2,718 were Muhammadans. The Corporation expenditure on primary schools amounted to Rs. 94,813 in 1925-26. This is an achievement of which anybody ought to be proud. The Government ought to take a lesson from the Calcutta Corporation.

Maulvi EKRAMUL HUQ: I have tabled a similar resolution and it runs thus:

"This Council recommends to the Government that free and compulsory primary education be introduced immediately throughout Bengal."

Mr. PRESIDENT: Are you moving your resolution?

Maulvi EKRAMUL HUQ: No. I am not moving it, but I am referring to it in supporting the present resolution. This question is not at all new to the House. The Hon'ble Members of Government as well as the non-official members of this Council know that this question came up before the House times without number, and unfortunately hopes were held out to us by Government that they were taking steps to introduce free and compulsory primary education as soon as possible. But, Sir, the people of this country are quite an unfortunate lot and the hope that was held out to us has not yet been realised, and we do not know how long will it take the Government member to draft this scheme and place it before the Council for its approval. But I hope that now that the matter is in the hands of capable men like the Hon'ble Mr. Donald and Mr. Lindsay, it will not be long before we get a Bill before this House introducing free and compulsory primary education in the land. What is it that this want of education has brought about in this country?

I should think instead of order chaos prevails in the land. Is it not this want of education that exists that is responsible for the strained feeling between the Hindus and Muhammadans? I feel perfectly certain that if the people of our country were thoroughly educated the Hindus would never think of going against the Muhammadans or the Muhammadans of wounding the religious or other feelings of the Hindus. But at the present moment there are persons who are engineering the plot for their own benefit. If the people were educated, be sure of it, that the first goonda that would be hired to break the head of his brother would break the head of the hirer and not of his brother. If we want to do good to the country, the one thing that we should do is to introduce free and compulsory primary education. How is it that in spite of the heavy expenses that you have been incurring on the Police Department you have not been able to check the crimes? The reason is not far to seek. How is it that in spite of the high emoluments you pay to the police they are still corrupt? They would not have been so, if the people were educated. They would have taken all steps to guard themselves from their exactions and to bring all the culprits to justice. From that point of view also it is the duty of Government to see that the people of the country are educated. Further, Government is trying its best to see that agricultural conditions are improved and industries introduced in this land, but with what result? I should think that no

good results have accrued to the country. The reason is that in the first place the departments are not efficient and in the second place whatever little advantages Government have been able to secure for the people have not been taken advantage of by the people themselves and that for lack of education and lack of education alone. If you take the Public Health Department into consideration I must say that so far as this department is concerned it is doing very good work, but with what result? The same old story is repeated here. The people cannot follow all that is told to them by the Public Health Department and consequently they take no interest. If they had been educated they could have understood all these things, but now, even when they are only partially educated, they are able in some places to combat malaria, kala-azar, as well as other diseases. If you want to improve the health of the country, if you want the people to be robust, then it is your duty to see that primary education is introduced in the land. Then again, take for instance, the self-governing institutions that we have introduced in the land; because the people lower down are not very much educated they are not able to force the hands of those who guide their destinies. If they had been educated they would have been able to keep them straight and compel those persons to follow that particular policy which would bring about relief to the suffering public; but because they are not thoroughly educated their representatives can do whatever they like, with the result that on account of the doings of persons who are evilly disposed self-governing institutions are not a success. To my mind, Sir, the one remedy for all our ills is nothing but free and compulsory primary education for the country, and the sooner the Government are pleased to take this matter up in hand the better for the country and better for the Government itself.

The Hon'ble Mr. DONALD: Sir, I should like to intervene at this stage of the debate. My point in doing so is that I want to get an expression of this Council's opinion on a practical issue arising out of this problem. No one has made any reference to what has been going on in regard to this matter outside the Council on which I have had to deal questions in this House. It is in the knowledge of members of this House that conferences were held by Mr. Lindsay with the district authorities last cold weather on a scheme for primary education. That scheme, I may say, is now under examination by Government.

I do not wish to argue the case as to the necessity for free and compulsory primary education: I want a practical question to be considered, and that is the financial one. If we are to have a scheme for free and compulsory primary education, we must have money, and we cannot have that money at present from the Provincial exchequer in the present condition of our finances. Babu Surendra Nath Ray

has talked about the possibilities of finding money now that our provincial contribution has been remitted. I do not think he has been studying the subject lately, or he would have realised that the provincial contribution may be in jeopardy through considerations arising out of the exchange value of the rupee. But even if we go on as we are now we should not have money to finance a scheme like this. We shall require at least a crore and a half for this scheme, but we should be content with a crore for the present to make a start. We cannot find this from our existing income.

Maulvi EKRAMUL HUQ: Why not borrow?

The Hon'ble Mr. DONALD: I should have thought that Maulvi Ekramul Huq knew more about finance than that.

At the conferences with the district authorities there was put forward a proposal for an education cess of 4 or 5 pies in the rupee as a means of securing the funds necessary for a scheme of free and compulsory education. I should like to get the opinion of the Council on this idea this afternoon. The thing is—we must have money to make a start with the scheme of free and compulsory primary education. We do not want a dead letter Act like Babu Surendra Nath Ray's Primary Education Act which has not produced any compulsory primary education. In this connection I may say that we have provided all the money that is wanted in connection with schemes already put into operation. The budget provision has always been up to the demand. What I now desire to know is what the Council think about this proposal of an education cess of 4 or 5 pies in the rupee.

(The Chairman, Babu Jatindra Nath Basu, was going to put the question.)

The Hon'ble Mr. DONALD: I do not want to close the debate, Sir, I want an expression of the Council's opinion on the proposal put forward by Government. But if the debate is really going to be closed, I should like to move an amendment.

Maulvi EKRAMUL HUQ: I think the Council ought to be quite prepared to pay a small amount of educational cess and the Government in its turn borrow for this purpose and pay interest from the balance that is left to the credit of Government.

Dr. H. W. B. MORENO: With regard to the question of educational cess, I think it is most important that if we are out to get all the benefits of free and compulsory primary education some sacrifice ought to be made by the people of Bengal for the future good of the country, and now that we have a very valuable scheme put forward by

Mr. Lindsay which is under the consideration of Government we should do our best to assist Government towards its introduction. There has been a good deal of talk in this Council about the necessity of having such a system of free primary education, but when the real issue of finality is placed before it we seem to shirk it altogether. We all agree to the principle that free and compulsory primary education is a great desideratum for the people. There is not the least doubt that if free and compulsory primary education were introduced in the province most of the evils in the city and villages would disappear. The whole question resolves itself to this—who is going to pay the piper and call for the tune. I think the people should accept the suggestion of the Hon'ble Member in charge and should be prepared to pay their bit. I should like to see, speaking on behalf of my own community, that free and compulsory primary education should be extended to the Anglo-Indian community. At the present moment we pay very highly for the education of our little ones and I take it that Government will provide for all the communities in such a scheme. I trust, Sir, that this Council will accept the proposal which has been put forward in a fair and open manner by the Hon'ble Mr. Donald.

Maulvi SAYYED SULTAN ALI: In my opinion free and compulsory primary education should be immediately introduced in the country. The Hon'ble Member in charge wants that this Council should accept his proposal of imposing an education cess to meet the entire expenditure of the scheme. I think Government ought not to shirk their responsibility in the matter. It would be better to meet the expenses partly by levying an educational cess and partly by a contribution from the provincial revenues. This would be quite fair and just. If, however, the Government are obstinate in the matter and want to shirk their responsibility we will have no other alternative than to accept the proposal of the Hon'ble Member.

Maulvi ABDUL GAFUR: I was going to suggest the very thing which my friend Maulvi Sayyed Sultan Ali has just made. There can be no question as to the dire necessity of free and compulsory primary education and though the people of Bengal are already very heavily taxed the Muhammadan community, I think, in spite of their being very poor, would be ready to pay any educational cess if it benefits them alone, provided also that any such sum realised may not be utilised for any other purpose than education.

As my friend, Maulvi Sultan Ali, said just now, if the Government can find their way to provide the money wanted, then well and good, but if they cannot meet all the cost, then Bengal will meet it, even by taxation. This much I can say that let the Hon'ble Member in charge of the Department of Education come forward with definite proposals and we shall be very glad to consider them.

Mr. K. C. RAY CHAUDHURI: This question of compulsory primary education has been before us for a long time and it is high time that some definite steps were taken to carry it out. It is not much a question of an education cess or some other cess that will furnish funds. If the Government is determined the problem of funds may be solved. What I am going to say is that in the continent of Europe in France, Austria, Belgium and elsewhere they float premium bonds to raise money for public institutions but why in India can we not follow the practice and float premium bonds or even annual lotteries or sweeps and utilise the proceeds for primary education. The Royal Calcutta Turf Club have raised lakhs and lakhs by Derby Sweep, year after year in this way. Why cannot Government do that? In Austria, Germany and France many public institutions have been built out of premium bonds and even public debts have been repaid by proceeds of bonds, and why cannot the Government of Bengal do so? You say that you require a crore of rupees every year. Cannot the Government promote annual lottery to raise one crore every year say for first 10 years. I think the people of Bengal alone will like a major portion of it. My friend, Mr. Campbell-Forrester, here says that the Town Hall has been built by means of a lottery, and several big buildings have been erected in this way. We should give up our superstitious idea about lotteries and sweeps. The Royal Calcutta Turf Club is doing it every year, and surely we, the Indian people, can do it. It is no longer a question of religious or moral scruples. Government must explore possibilities and to see whether the continental system of raising funds cannot be adopted here. With these words I commend the Hon'ble Mr. Donald to inquire into this question of the continental system of premium bonds and also about the feasibility of promoting State educational lotteries. Without such extraordinary method of raising money foundation of compulsory primary education cannot be laid.

The Hon'ble Mr. J. DONALD: I have just one or two remarks to make. Babu Surendra Nath Ray has said that where there is a will there is a way. Well that way is taxation and I am glad to have had the opinions on the subject. Maulvi Sultan Ali says that the expenditure might be met partly by Government contribution and partly by the imposition of an education cess, while Maulvi Abdul Gafur wants to make sure that the money is not diverted to the other purposes of Government. Well our idea is that all the money collected in the form of a cess together with such provincial contributions as are made should be placed in the hands of a local educational authority; it will not go to the coffers of the Government; it will go to a local educational authority who will spend the money on primary schools and see that the boys go to school. As regards the gambling idea of Mr. K. C. Ray Chaudhuri I shall take this into consideration. But it is our intention within the next month or two to publish our ideas on

the whole subject regarding the cess and a scheme of primary education generally, so that there will be an opportunity for the general public and the members of this Council to consider them. Our proposals are in fact now being drafted. It will be seen from all that I have said that I cannot accept the resolution as it stands. But I am prepared to accept it if the mover will agree to alter it to read as follows:—

"This Council recommends to the Government that steps be taken with as little delay as possible for the inauguration of a system of free and compulsory primary education in Bengal."

Maulvi RAJIB UDDIN TARAFDAR: I accept the amendment proposed by the Hon'ble Mr. Donald.

The amendment of Shah Syed Emdadul Haq was then, by leave of the Council, withdrawn.

The following resolution was then put and agreed to:—

"This Council recommends to the Government that steps be taken with as little delay as possible for the inauguration of a system of free and compulsory primary education in Bengal."

Opening the mouths of the rivers Baraj and Narad.

Haji LAL MAHAMMAD: I move, that this Council recommends to the Government that steps be taken to open the mouths of the rivers Baral and Narad and other khals which join the river Padma in the district of Rajshahi, with a view to restore the health of the villagers living on the banks of that river and those khals.

He spoke in Bengali in support of his motion, the English translation of which is as follows:—

"Sir, formerly the pure water of the Padma used to inundate the Rajshahi district and that was very beneficial to health and cultivation. But for the last few years the junctions of the khals, rivers, bhils, etc., having been silted up, the water of the Padma cannot enter into them. For want of current water the water-hyacinth and weeds cannot move on, and consequently the water becoming stagnant gives out foul smell and produces various diseases. So, to-day, we find that the whole district is in the grip of kala-azar and malaria and in many places special centres have been opened to combat the ravages of the same. For the same reason cultivation is suffering heavily and in some places cultivation being impossible, the lands are lying fallow. To understand fully the serious consequences arising from want of current water, and the havoc created by the diseases therefor, a reference to the Census Report is necessary. If we compare the Census Report of

1911, with that of 1921 we find that under the thanas Puthea, Baghmara, Durgapur and Mohadpur there has been a decrease in the population by 12,065. Many thickly-populated places in Nator and Rajshahi Subdivisions have become desolate in course of these few years. The poor villagers have repeatedly prayed for redress, but to no effect. On the other hand, about two years ago some educated, respectable people of Rajshahi with a view ot bring back the lost health of the country and to facilitate cultivation, tried to renovate the dead river Narada of Rajshahi by re-excavating the dried-up khal, with the combined efforts of the cultivators and the respectable people of the country, but then owing to various obstacles and difficulties overtaking them they were obliged to abandon their noble mission. Since then the said work has been lying unattended to. Another instance might be cited here. About that time some villagers by their united efforts also reclaimed the khal at Bhalukgachi Dhopapara and for that a criminal case was brought against them, though ultimately that was withdrawn. It has been found that due to the above two efforts the crops of that quarter have decidedly improved and grown more largely. Again, during the rainy season when the fields and meadows become impassable, the boat alone serves the purpose of transport, but in many places the water-hyacinth and weeds render it impossible for the boat to pass over. So unless immediate remedial measures are taken, the whole Rajshahi district will be depopulated and turned into jungles. I earnestly request the Government to take up this matter without the least delay, and to nip in the bud this seed of future unrest. 'Prevention is better than cure.' So I reiterate that mere establishment of hospitals will not do, but steps should be taken for reclaiming these natural water channels and making arrangements for the supply of pure water everywhere."

[At this stage the Council was adjourned for 10 minutes.]

[After the adjournment.]

[At this stage the Hon'ble the President returned to the Chair.]

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia: Sir, I must admit that I could not hear about 99 per cent. of what the speaker said, but I shall deal with the resolution as I understand from its wording.

The resolution recommends that steps be taken to open the mouths of the Baral and Narad rivers and other khals which the join the Padma in the Rajshahi district as a sanitary measure: the off-take of the Baral is about 30 miles above the Hardinge Bridge: the Baral and other rivers in this locality are declared under section 6 of the Embankment Act, in order to prevent interference with the régime of the rivers except under expert control, and as a safeguard against the out-flanking of

the Hardinge Bridge. The Baral at one time was a very active spill channel of the Padma and by some is believed to have been the main course, and it is necessary to be very cautious before undertaking any work designed to increase the flow of water in it. If the Baral again became the main stream or an important branch of the Padma, the Hardinge Bridge would be left high and dry. Before anything can be done to improve the river, it is necessary that the case should be thoroughly examined. Government are aware that the country through which this river flows is malarious and an inquiry has been undertaken by the Public Health, Irrigation, and Agricultural Departments to ascertain what remedial measures are possible. Until this inquiry has been completed and has been considered by Government no assurance can be given one way or the other as to what action is necessary, and, therefore, I cannot accept the resolution.

The motion of Haji Lal Mahammad was then put and agreed to.

Connecting the town of Barisal with Calcutta by railway line.

Mr. P. N. GUHA: Sir, I beg to move that this Council recommends to the Government to move the proper authorities to connect the town of Barisal with Calcutta by railway line.

Sir, a few days ago a high Government official pointed out to me that during the last two years I had worried the Government about the affairs of Barisal much more than any of the five elected members of that district had done. He said that my nomination to this Council was not as a Barisal man, but as a citizen of Calcutta. I agree, and I am sorry that I had to worry the Government off and on, but, Sir, whatever may be my position in Calcutta, I cannot even for a moment forget that I was not only born in the district of Barisal, but spent the greater portion of my life and was connected with all sorts of public activities under the banner of my late revered leader, Babu Aswini Kumar Datta. Sir, I am a temporary resident of Calcutta, but I pray to God that my body may be burnt to ashes by my kith and kin in my village home in the district of Barisal. Sir, I assure you, and through you the Government, that I would never have worried them if the representatives of my district, specially the two Hindu members, were not busy in walking in and out for achieving *swaraj* for all India in preference to giving any attention to the insignificant——

Mr. PRESIDENT: Mr. Guha, you had better come to the point.

Mr. P. N. GUHA: Sir, the demand to connect Barisal with the metropolis by railway is not a new one and it was expressed not so strongly by the people of the district first as was done by the Government of Eastern Bengal and Assam 20 years ago. Sir, it was in an

official letter dated 18th April, 1906, addressed by Mr. LeMesurier, who was then the Commissioner of the Dacca Division, and subsequently became the Governor of Bihar and Orissa, that he expressed his strong desire to connect Barisal with the metropolis by railway. Sir, from that time onward the people of the district have been clamouring for the line. It is a known fact that the Government of this country move slowly, and it was not before 1914 that the proposal assumed a definite shape. On the 11th March, 1914, a notification appeared in the *Calcutta Gazette* by which the lands were acquired, or were proposed to be acquired, in 16 villages in the district of Khulna, four villages in the district of Jessore, 40 villages in the district of Faridpur, and 48 villages in the district of Bakarganj. This line, if opened, would have connected a good portion of Faridpur and Barisal with the metropolis by railway.

The survey was finished but the project was quietly abandoned. Even in October, 1917, Mr. Cowley, the then Secretary to Government in the Public Works Department, said in reply to a question by the Hon'ble Babu Brojendra Kishore Roy Chaudhury that the project was under consideration of the Government of India and of the Railway Board, but in September, 1918, the same Secretary in reply to a question of the same hon'ble member said that the Government of India had dropped the project. Well, Sir, no reason was given and the opinion of the people concerned was not consulted, but the Government decided that the work of the line should not be proceeded with. The matter did not end there: an alternative route was again surveyed, but that too was abandoned in a similar way, and the people of the country did not know anything about the reasons for which Government gave up the project till 16th February last when in reply to a question of Mr. Fazl-ul Haq the Hon'ble Mr. Donald said that the proposal of connecting Barisal with Khulna by railway *via* Madaripur was given up as the construction of the line would be injurious to the health of the population in the neighbourhood and that the Faridpur-Bhanga route was given up as the line was unlikely to be remunerative, and as neither the local Government nor the District Boards concerned were in a position to give a guarnteee to the Railway Board against a loss that was likely to be incurred. Sir, it will be seen that the Railway Board agreed to open a line: two surveys were made by spending a huge sum of money and then it was given up on flimsy grounds.

Now, Sir, the people of Barisal have to cover a journey of 213 miles for going home from Calcutta, partly by railway and partly by steamers. In bygone days this distance had to be covered in the rainy season in 24 hours and in the dry season in about 30 hours, but the slumber of the Steamship Companies was disturbed when the Railway Board began to survey the line and they then introduced what is now known as the "Express Service." We now cover the distance

in 18 hours. It is true that the travellers have saved about 8 hours' time, but the fate of the mail has remained unaltered. Postal articles are even now carried under the old management, and a letter posted in Calcutta to-day will reach Barisal in the morning day after to-morrow and no addressee can get anything before noon on the same day. Is it not preposterous that people living within a distance of about 200 miles should receive letters on the third day from the date of posting?

Sir, I will not incur the displeasure of my friend Mr. Phillip by narrating manifold grievances that we, the people of Barisal, have got against the management of the Steamship Companies which he represents. On the contrary I take this opportunity of thanking him very much for the ready and sympathetic hearing he has given me and the people of my district regarding the complaints that we had to make from time to time. The Steamship Companies are doing their best to give us comforts, but I have no hesitation in saying very frankly that we, the people of Barisal, will not be satisfied even if the boats of Mr. Phillip give us convenience and comforts as the mail carrying boats of the P. & O. Company give to the passengers who travel from India to England. Quickness in action, quickness in thought and quickness in transport is the order of the day and the constant efforts that are being made by the people of the civilised world to open air routes should be sufficient to prove that no one in these days can remain satisfied in the antiquated method of transportation. Sir, mine is the only district in Bengal where there is not even an inch of railway line, and this is a factor which has been utilised by the Steamship Company to earn a fat dividend. We have not grudged this so long, but we are no longer prepared to allow this kind of things to continue. We are not prepared to remain outside the pale of civilisation. It is a well-known fact that a quicker mode of transport enables the people not only to develop their trade and commerce, but it develops their mental equipment and power of thinking as well. We, the people of Barisal, refuse to remain in the background any longer.

Sir, had time allowed I would have certainly been able to prove the hollowness of the reasons advanced by the Government in adandoning the project and could present conclusive arguments to show that neither the consideration of the health of the people nor the consideration of alleged loss but it was the pet theory of canals that induced the Government to give up the project. Sir, it was only a couple of days ago that I raised my voice of protest against the desire of the Government to open the Grand Trunk Canal, and it is a matter of sincere pleasure that the entire Council opposed the motion. I take it that the Government will no longer utter a word about this ill-advised project of Mr. Addams-Williams. Sir, there was, however, no

place where the voice of the people could be effectively made audible to the authorities when the Madaripur Bhil route was opened, and it was this route for the development of which the project of connecting Barisal with Khulna by railway *via* Madaripur was given up.

Sir, I do not think any useful purpose will be served by repeating the old stories. What we now want is a railway line and the announcement made by His Excellency the Viceroy that the Railway Board contemplates the opening of so much as six thousand miles of railway for the purpose of stimulating agriculture, has raised our hopes again.

Sir, my district is known as the granary of Bengal and it is a purely agricultural district. Therefore the Government can find no better place to select where they can commence the operation of the ambitious plan mapped out by our agricultural Viceroy.

In conclusion, I appeal to the Hon'ble Member to accept my resolution and advise the Government of India to resurvey the line and to commence the work as speedly as possible, specially in view of the fact that the project of the Grand Trunk Canal has been so justly knocked on the head.

Sardar MAHAFEZUDDIN AHMED: In supporting the resolution I beg to submit that in these days of rapid communication when even unimportant places are being connected by railway lines, a most important district which including its Khas Mahal income, perhaps gives the Government more revenue than any other district, is still unconnected by railways. We have got railway line extended up to the town of Bagerhat from Calcutta. The subdivisional headquarters station of Pirojpur is only 13 miles off from Bagerhat by land. Pirojpur is well reputed for its rice and betel-nut trading business, but the means of communication is the worst of its kind. The inconvenience is very greatly felt by the people and the traders suffer to the utmost for want of proper communication. Still the Government have not as yet thought it fit to take up the matter to connect even this short distance by railway line, presumably, as some say, with the avowed object of safeguarding the interest of the Steamer Companies. Sir, this is the only solitary district in the Province of Bengal through which no railway passes.

Under these circumstances, I submit that the resolution be given effect to at an earliest possible date.

Babu DEBI PROSAD KHAITAN: In rising to speak on this resolution I must say at the outset that I am not rising either to support or oppose the resolution in the terms that it has been worded. But there are two important matters inter-connected with this problem to which I should like to draw the attention of Government, should they decide to forward a copy of this resolution to the Government of India

with their recommendations. Sir, at present the greatest need of the country is the necessity for the reduction of rates and fares. The problem of the development of railways, of which this resolution but forms a part, is very much connected with the problem of the reduction of rates and fares. When Sir Clement recently met the members of the Committee of the Indian Chamber of Commerce, this question of the development of railways at the present moment *versus* the reduction of rates and fares was discussed with him. I cannot, as a merchant, oppose the development of railways, but the primary question to be considered at present is to which of the two matters preference should be given. We are all aware that the Currency Commission has recently reported that exchange should be stabilised at 1*s*. 6*d*. Although the Currency Commission held that adjustment had taken place in connection with the rate, still it is generally felt that no such adjustment has as yet taken place. In these circumstances it is necessary that all kinds of expenses must be reduced to a minimum. The railway freight is an appreciable part of the cost that enters into the prices of commodities by the time that they reach the consumer or by the time that they reach the place of export, and in order that full adjustment may take place, it is absolutely necessary that even railway rates and fares should be adjusted to the exchange at 1*s*. 6*d*. which we are perhaps going to have in this country notwithstanding the unanimous opposition of all Indians. Now this matter should be thoroughly considered by the Government before any final decision is arrived at in connection with fresh development of railways before the existing rates and fares are fully adjusted to the present situation. Sir, the other point to which I should like to draw the attention of Government is the question of river transport. In America by reason of competition between railway and river transport, they have been able to help trade and commerce to a very large extent. It is generally known and felt in this province that the question of water transport has not received that amount of attention at the hands of Government which it deserves. If the development of railways is to be carried on at the cost of river transport, I should say that Government should fully consider the merits of the case before coming to a decision upon further development of railways. If the railway is to be further extended, it would be a part of the Eastern Bengal Railway. We all know that Eastern Bengal is not yet in a position even to pay that one per cent. which is due by it to the Government of India. Now that problem will also have to be fully considered, because whenever any question is brought forward in the Eastern Bengal Railway Advisory Committee either to give increased comforts to third class passengers or for the reduction of rates and fares or granting any kind of amenity, the reply of the Eastern Bengal Railway is that it is not yet able to pay to the Government of India that one per cent. which is due by it to the Government of India as a fixed contribution. I therefore, hope, Sir, that the Government, before coming to a

decision on this question, will fully consider this inter-connected problem in order that existing railways may not suffer—in order that existing trade and commerce may receive its adjustment that is necessary under the new order of things.

The Hon'ble Mr. J. DONALD: Mr. Guha has given us a history of the case and I am saved the trouble of going over it again. As a matter of fact the proper authorities have been moved and orders for a traffic survey of the country have been issued. I hope that after hearing this Mr. Guha will withdraw his resolution.

Mr. P. N. GUHA: Well, Sir, I am very much obliged to the Hon'ble Member in charge that he has already taken action in the matter. Well, that is very kind of the Government of Bengal and I think the people of my district will be relieved to hear that the Government of Bengal has already moved in this direction and a survey of the proposed railway line is likely to begin in the very near future. In view if this, I do not find any utility of pressing the acceptance of my resolution. I therefore beg leave to withdraw it.

The motion was then, by leave of the Council, withdrawn.

Grant of one lakh of rupees to the Burdwan Municipality.

In the absence of Maulvi Muhammed Yasin, Raja Manilall Singh Roy of Chakdighi moved that this Council recommends to the Government that a grant of Rs. 1,00,000 be made to the Burdwan Municipality during the year 1926-27 to meet the cost of further improvement of the Burdwan Water Works at a cost of Rs. 1,50,000. He said:—

"Sir, after several most severe epidemics of cholera, it was thought that there should be a water-works in the town of Burdwan. In 1884 the water-works was constructed. Since then no such epidemic has appeared in the town. It was working well up to the year 1918 when the engines, pumps and other things came to a condition of collapse and at an expenditure of Rs. 1,50,000 including the liberal grant of about Rs. 80,000 from the Government, two oil engines, said to be new, were put on and other necessary improvements were tried to be effected. But now it is found that they have not improved matters much and would not improve much as the engines, since they were put on, have been giving much trouble for reasons I need not dilate upon. The distribution pipes of a foot calibre which were laid in 1884 are now thought to be not sufficient for the purpose of the present need and, moreover, by continual use for so long a time about two inches of it have silted up. There was an incessant demand for house connections all the time. Now with the expansion of the town more house connections are urgently needed in addition to the hydrants on the roads.

But we cannot have them unless we get new pipe lines of greater calibre with other improvements; but, Sir, we have not got the money to effect all these improvements. For the reasons stated above, we pray for a contribution of Rs. 1 lakh and the rest we shall find anyhow. This will do a great deal of benefit to the people of Burdwan. I may point out that the health of the town will be in great danger unless the pipes of greater calibre are put in in place of the existing ones, as the drains which have been constructed at a considerable cost cannot be flushed for want of water and that unflushed drains are of a great menace to the health of a town is known to all. I, therefore, request that the Government may be pleased to see their way to kindly accede to our modest prayer."

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia: I sympathise with the Raja Saheb for his anxiety to improve the water works at Burdwan.

A few years ago, sanction of Government was accorded to a scheme submitted by the Commissioners of the Burdwan Municipality for the improvement of their water works at a cost of Rs. 1,30,000 towards which Government contributed Rs. 79,384 and granted a loan of Rs. 30,000.

Government have no information as to what further improvement is required and of its cost. The mover of the resolution should have seen that a scheme was sent up to Government instead of bringing forward a resolution in the Legislative Council. No amount can be granted unless a scheme is presented for examination.

A scheme, if sent up, will be treated on its merits. But the Raja Saheb must remember that Government have been exceptionally generous to Burdwan Municipality by granting more than half the estimated cost of the last improvement of the water works.

Raja MANILOLL SINGH ROY of Chakdighi: Under the circumstances I beg leave to withdraw the resolution.

The motion was then, by leave of the Council, withdrawn.

Improvement of the old type Madrassahs.

In the absence of Maulvi Sayedul Hoque, Shah Syed Emdadul Haq was permitted by the Hon'ble the President to move the following resolution—

"This Council recommends to the Government that Rs. 2,00,000 be earmarked every year in the Educational budget for the purpose of

improving the quality and standard of education in old type Madrassahs"

in the following amended form:—

Maulvi SAYEDUL HOQUE: "This Council recommends to the Government that Rs. 3,00,000 be earmarked every year in the Educational budget for the purpose of improving the quality and standard of education in old type Madrassahs."

He spoke in Bengali, the English translation of which is as follows:—

"To-day I stand here to move for granting an aid to the Madrassahs imparting the old course system of education. Only old people like me can appreciate its necessity and will have every sympathy for it. Now-a-days we hear people say that the Maulvis are responsible for the communal riots. But the so-called Maulvis are not true Maulvis, nor have they got the teachings of the old course Madrassah. Such Madrassahs are day by day decreasing in number. The Maulvis taught under the old course were torch-bearers of peace, amity and generosity—exercised great influence on the masses and used to teach people toleration. Under that education Islam had always shown liberality. The old course contained hundreds of examples of generosity, harmony and toleration—how the Prophet gave shelter and received cordially an infidel, and how though the latter defiled his house he pardoned him and treated him well, etc., and such things had the salutary effect on the people in moulding their character and making them true men. But the Madrassah of the new scheme is vitiated by Western influence. The Madrassahs of the old scheme are gradually becoming extinct under the influence of the new. Whether or not Government accept my resolution or amendment, I request them that in future they may grant some money for the old scheme Madrassahs."

The Hon'ble Mr. J. DONALD: Sir, my simple answer to this resolution is that we are not going to spend any money on old type Madrassahs. They impart superficial training of an inferior type and turn out a class of people who for the most part do not develop as useful members of society. It would be a backward move, and I am not prepared to accept the resolution.

The motion of Shah Syed Emdadul Haq was then put and lost.

In the absence of the members the following motions deemed to be withdrawn:—

Mr. K. C. RAY CHAUDHURI: "This Council recommends to the Government to recommend to the Government of India to pass comprehensive legislation for the registration of the names and addresses of individuals or partners carrying on business for gain in British India on the lines of British legislation."

Babu JATINDRA NATH BASU: "This Council recommends to the Government that a sum of Rs. 20,000 be paid to the Calcutta Orphanage as a capital grant towards the cost of additional land and building required for the institution."

Inquiry into the incidents of Calcutta riots.

Mr. PRESIDENT: Mr. Suhrawardy, have you got permission of the members named in your resolution?

Mr. H. S. SUHRAWARDY: I have secured the permission of the majority of them.

Mr. PRESIDENT: Will you please hand over their written consents?

Babu DEBI PROSAD KHAITAN: Sir, Mr. Suhrawardy says he has obtained the consent of the majority of members of the proposed Committee. I suppose the formation of the Committee is an integral part of the resolution. I think that unless he gets the consent of all the members he cannot move his resolution.

Mr. PRESIDENT: There are seven members. Of them only two have refused to serve on the Committee. Mr. Suhrawardy has secured the consent of the other five. So I believe he will be in order to move his resolution in the amended form, that is, omitting the names of the two gentlemen who have not given their consent.

Mr. H. S. SUHRAWARDY: The only two members, Mr. Moberly and Mr. Gupta, have refused to serve. Sir, I shall first of all deal with the personnel of the Committee.

Mr. PRESIDENT: Please move the resolution first. Please read it out in its amended form.

Mr. H. S. SUHRAWARDY: I beg to move that this Council recommends to the Government that a Committee consisting of the following members of the Legislative Council be appointed to make a public inquiry into the incidence and course of the riots that commenced in Calcutta on the 2nd April, 1926, and ceased on or about the first week of May, 1926, and suggest ways and means to prevent a recurrence of similar occurrences in future and relieve the communal tension prevailing in Calcutta and in other parts of Bengal:—

Raja Manmatha Nath Ray Chaudhuri of Santosh;

Raja Maniloll Singh Roy, C.I.E., of Chakdighi;

Sir Abd-ur-Rahim, K.C.S.I.;

Hadji Mr. A. K. Abu Ahmed Khan Ghuznavi; and

the mover.

It is open to the Government, even though the resolution may be passed by the Council, not to appoint the Committee, and the Council has no power by which it can compel the Government to accept its resolution. It is also open to the Government, even though the resolution may not be accepted by the Council, to appoint any Committee that it desires in the fitness of things, and so far as the personnel is concerned it can only be in the nature of a recommendation or an indication to Government, and it will be open to them at any time to appoint such members as will best serve the purposes of the resolution. When I first tabled this resolution I inserted the names of three European members, but two of them are no longer here on account of changes in the representation of the Bengal Chamber of Commerce and Mr. Moberly on behalf of Government is unable to sit on the Committee. I must attempt to remove the misapprehension that has apparently been created in the minds of both Government and the Hindu members. This resolution is in no way an attempt on my part to attack the Hindus for their degree of participation in the riots, nor is it an attempt on my part to show that the Hindus were the aggressive party and that there has been differentiation in the treatment of Hindu and Muhammadan accused by the Hindu police. Neither is it my motive to show that the Government have not acted as they should have, nor to belittle their power and prestige in the eyes of the public. It is a sincere attempt on my part to bring about a solution of the problem that besets us, and if possible, to prevent a recurrence of the riots. Perhaps I can forecast what the decision of the Council is going to be, and no amount of cogent arguments on my part can alter the determination of the Hindu members and the officials to oppose my resolution.

Mr. P. N. CUHA: Sir, is there a quorum?

The Council was at this stage adjourned for ten minutes.

After adjournment it was found that the required number of members to form a quorum were not present.

Adjournment.

The Council was then adjourned till 3 P.M. on Friday, the 20th August, 1926, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Friday, the 20th August, 1926, at 3 P.M.

Present:

The Hon'ble the President (Kumar SHIB SHEKHARESWAR RAY) in the Chair, the four Hon'ble Members of the Executive Council, and 68 nominated and elected members.

Mr. PRESIDENT: GENTLEMEN OF THE COUNCIL,—In all probability to-day is the last meeting of the present Bengal Legislative Council and perhaps this is the last occasion when I shall have the honour of addressing you as your President. And, before we part, I owe it to you to express my heartfelt gratitude for the courtesy and kindness which you have extended to me during the term of my office.

Gentlemen, no one realises it better than myself how trying at times it must have been to some of you to remain kind and courteous in the face of rulings which were not to your liking. But it is to your credit that you had been much more indulgent to me than I could have been to you. As your President it has often been my unpleasant duty to rule out of order your questions, resolutions and motions which undoubtedly were of considerable importance to you, but inadmissible under the Rules. I know how aggrieved one would feel in such circumstances, especially when one expected a special consideration for the very friendly relationship existing between us. Believe me, gentlemen, that whenever such a thing happened, no one felt more miserable than I did.

Gentlemen of the Council, you are pleased to place me in a position of great trust and responsibility. You expected me to hold the balance evenly among the various parties in the Council and you made me responsible for the maintenance of the power and privileges of the Council, as also its dignity and honour. I do not know how far I have succeeded in fulfilling your expectations, but it has been my earnest endeavour, throughout my career as your President, to reach the ideal you set for me and my greatest satisfaction is that in making the attempt I have been all along encouraged by your good will and kind co-operation.

Gentlemen, parting is always sad and it is all the more so when we do not know whether we are likely to meet again under the same

conditions. I however wish you all success at the elections, and whatever happens, I shall ever cherish with gratitude the memory of the kind consideration which I have received from you, both official and non-officials.

Before I sit down, gentlemen, I crave your indulgence to refer to the loyalty and devotion with which the officers and the staff of the Legislative Department have served me. I would never forget the patience and readiness with which they have all along helped me.

Gentlemen of the Council, I thank you all once again for the kindness you have shown to me and wish you farewell.

Mr. R. B. WILSON: On behalf of the European Members, and, on my own behalf, I would like to address a word to you before the Council is prorogued.

I cannot lay claim to any long service in the Bengal Legislative Council but I hope that the attention I have given to the work and to the procedure has at least enabled me to form some opinion as to the responsibilities and the duties attaching to a President's high office.

The burden of an old song of Gilbert and Sullivan is "let the punishment fit the crime" and I sometimes wonder, Sir, what your crime has been that you should be condemned to listen in silence day by day to speeches, sometimes long, sometimes tedious and sometimes irrelevant. (Laughter). It may be that your crime has been that you yourself made speeches in days gone by, but I feel sure that your line of argument, unlike some of these arguments to which we are compelled to listen, was always to the point and always relevant to the question before the Council.

But if it is now your principal duty to listen, it is still sometimes one of your duties to speak, and among the many high qualities that are required for the successful conduct of a President's duty that of speaking at the right time and speaking with judgment and decision is perhaps the most important. This judgment and decision can only come after a long and careful study leading to a comprehensive knowledge of the rules and the procedure of this Council.

Another quality required of the President is that of strict impartiality, and no inclination to political partisanship.

These qualities, and there are many others almost as important, I think it will be admitted by everybody you have shown yourself to possess It is difficult for me, Sir, to speak about you in your presence but I don't hesitate to say that in you we have found a President who by his calm and careful judgment, his decision, and his absolute impartiality not only commands our appreciation and our respect but who makes us feel that as this Bengal Council grows in age he has performed his part in maintaining and adding to its good traditions.

Babu JATINDRA NATH BASU: Sir, on behalf of the members on this side of the House and on behalf of myself I join in expressing our appreciation of the very able and considerate manner in which you have discharged the duties of your high office. What you had to do sometimes was a great strain on you and we are all thankful to you for the manner in which you have discharged your duties in conducting the proceedings of this Council.

Hadji Mr. A. K. ABU AHMED KHAN CHUZNAVI: Mr. President, Sir, I wish to associate myself with all that has fallen from my friends, Mr. Wilson and Mr. Basu, and I should like to thank you, on behalf of myself and also the Moslem members of this Council, for the uniform courtesy you have shown us. I need not say anything further on this occasion except that we all hope to see you again in this Council.

Dr. H. W. B. MORENO: Sir, on behalf of the Anglo-Indian community which I have the honour to represent in this Council, I should like to associate myself with the remarks made by the previous speakers. Whatever class, whatever interest, is represented in this Council we all agree that by your ability, tact and judgment, you have fitly won admiration in your occupation of the presidential chair. You have been severe in your manner sometimes, calling us to order and even calling on us to withdraw if our remarks are unparliamentary, but we have all the time felt that in you lay a kind heart overlooking our many faults and foibles; and we have grown more and more to appreciate your many qualities of head and heart that have exalted you in the position you occupy.

Mr. S. C. MUKHERJI: Sir, on behalf of the nominated members, I express our heart-felt appreciation to you for the service that you have rendered as President of this Council. You have acted with firmness, with courtesy, and sometimes, Sir, though we have felt uncomfortable by your rulings, in the end we have always felt that you have been correct in your decisions.

Mr. B. CHAKRAVARTI: Sir, I thought that by yesterday we had done with eloquence, and that I should not have to be in a position to open my mouth, but the examples of my friends and fate compel me to say a few words. Sir, the position of a President is one of great difficulty. He has to keep the balance even amongst various people, and it is very difficult indeed not to offend somebody or other, but there is one thing which you observed, and that is not to try to please everybody, but to do your duty regard being had to the dignity and honour of the Council. Sir, you have already said that you may not occupy

the exalted position that you do to-day, but I hope, Sir, that you will find plenty of occupation—useful occupation—in other spheres of life. I thank you very much.

Maulvi EKRAMUL HUQ: Sir, on behalf of the Tenant Party, which consists of both Hindus and Muhammadans, I have the privilege of associating myself with all that has been said by the previous speakers. I need not say more, but that your tenure of office has been marked not by severity, but by an attempt to conduct the business of this House with impartiality and dignity.

Mr. PRESIDENT: I thank you gentlemen for the kind words that you have used towards me.

At this stage the Registrar to the Council announced to the Hon'ble the President that His Excellency the Governor was without.

The Hon'ble the President then left his seat on the *dais* and met His Excellency at the head of the east staircase. His Excellency then entered the Council Chamber in procession, and, at the request of the Hon'ble the President, took his seat in the Presidential Chair, the Hon'ble the President being seated on His Excellency's right.

His Excellency the Governor's address.

HIS EXCELLENCY the GOVERNOR of BENGAL (Sir Hugh Lansdown Stephenson): Gentlemen, on the eve of the dissolution of the Council it is obviously suitable that the Governor should wish god-speed to the members and review the work that has been accomplished since they first assembled to take their part in the constitutional Government of the Presidency, and I was all the more desirous of coming among you to-day because after a long personal association with the Legislative Council of Bengal, this is the last opportunity I shall have of addressing you. But the very fact of this association makes it the more difficult for me to undertake an impartial appraisement of the controversies, inseparable from Parliamentary development, in which I have myself taken part and I shall, therefore, content myself with a brief review of the general facts and tendencies during the life of the present Council.

The chief landmark has been the election by yourselves of your own President. We owe a debt of gratitude to Sir Evan Cotton for accomplishing the task of guiding the somewhat torrential waters of the reformed Council into the safe channel of precedent, but I think we can say that the wisdom of Parliament has been justified in setting an early term to the period of tutelage and we need have no fear that the Council will ever be unable to produce from its own members men capable of guiding its destinies.

Another important advance which is at present in the experimental stage as its effect cannot be seen till the coming elections, is the removal of the disqualification which prevented women from being voters.

The legislative output has been small. Apart from emergency measures, it has consisted mainly of small amendments to existing Acts necessitated by altered circumstances and the two measures of importance passed are the Dacca University Act and the Howrah Bridge Act. There has been a considerable increase in the number of private Members' Bills—an indication of an increasing desire for constructive work—while the fact that only two out of 30 have actually been passed is a proof, I think, that the Council realises the danger of piecemeal or haphazard legislation, and it is by means of resolutions and the discussions on the Government proposals financial or otherwise, that the Council has made its weight principally felt.

I think the historian of the future will say that the life-time of the present Council has been a critical period of its development. All are working for the same end, but there has been a clash of political theories and practices. At the commencement, we had with us Ministers taken from the elected members of this Council and administering the departments for which this Council was peculiarly responsible. The storm has centered round them and after many vicissitudes, they have temporarily disappeared, their departments are no longer the peculiar responsibility of this Council and the main feature of the scheme embodied in the Government of India Act to transfer responsibility to the people is for the time being eliminated.

As a member of the Southborough Committee, I personally regret it, but time alone will show whether this or the throwing out of the departmental budgets will hasten the advent of the ideal we are all working to materialise. Of this, at least I am confident that the storm and stress has not been in vain and that whatever may be the outcome, it has been a stage in the development of the political life of Bengal.

You, gentlemen, have now to face the toils and risks of a general election. It is right that all should be confident of success, but some at least must necessarily fall out by the way. It is useless to ignore the general apprehension that the coming elections will give occasion for a further outburst of the communal passions, which have been responsible for so much suffering already and which are unfortunately not yet allayed. A great responsibility rests on all parties and on all individual candidates to use their utmost endeavour to prevent this danger materialising. Excitement is inseparable from elections and our experience has shown that in times of communal tension, each side sees provocation in every act of the other. The danger can be avoided only if each individual resolves that in his every act and speech he will set peace before him as his aim.

In conclusion, gentlemen, may I strike a more personal note? I am shortly leaving Bengal after 31 years in her service, and no man can be unmoved when he is parting with associations in which he has passed the greater part of his life. I am returning to Bihar where I began my official life when it was associated with Bengal, and I look forward to a happy, and, I trust, a useful term there and to the renewal of many pleasant friendships, but I sincerely hope that I shall not lose the many friends I have made in Bengal.

My connection with this Council, or its predecessors, began in 1910 when my first official act was the introduction of the Calcutta Improvement Bill. Since then, I have played many parts on this stage and more especially of late years it has fallen to my lot to be protagonist in many controversies and it has been my duty to put forward views and press for action repugnant to many of you; nevertheless I shall always have the happiest recollections of pleasant personal relationships with members of all shades of opinion and valued friendships, formed within these walls. I am very grateful for the understanding sympathy that has made these recollections possible.

This Council now stands prorogued.

His Excellency the Governor then left the Council Chamber in procession.

Headed by the leader of the House, each member walked up to the Presidential chair and took leave of the President. The President then left the Chamber in procession. The members then dispersed.

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